

Exhibit A17

1 SGT JOHN CRUDO: All right. So this, uh,
2 interview is regarding OIS case 16-001. And it's
3 taking place at the Office of the Internal Affairs
4 Division on Tuesday, April 18th, 2016. Um, the
5 time is 11:35, approximately. The morning. And,
6 uh, conducting this interview is myself, Sergeant
7 John Crudo, star number 1694, of the Internal
8 Affairs Division. And assisting me in this
9 interview from Internal Affairs is--

10 SGT DENNIS TOOMER: Sergeant Dennis Toomer,
11 star 849.

12 SGT CRUDO: And the member being
13 interviewed is--uh, Sergeant, for the record, if
14 you state your, uh, first and last names, spell
15 them and your star number?

16 SGT NATHANIEL STEGER: Yeah. Sergeant
17 Nathaniel Steger, star 2252. And that's N-A-T-H-A-
18 N-I-E-L, S-T-E-G-E-R.

19 SGT CRUDO: And Sergeant Steger is the
20 named member in this matter. And representing
21 Sergeant Steger is?

22 ATTY BURRELL: Scott Burrell.

23 SGT CRUDO: Uh, no one else is present.
24 Sergeant Steger, have you read Department General
25 Order 2.01, General Rules of Conduct, and in

1 particular Rule 21, Cooperation with
2 Investigations?
3 SGT STEGER: Yes, I have.
4 SGT CRUDO: And have you read Department
5 General Order 2.08, Peace Officer Rights?
6 SGT STEGER: Yes, I have.
7 SGT CRUDO: And do you understand that this
8 interview is being recorded?
9 SGT STEGER: Yes, I do.
10 SGT CRUDO: Okay. Because there could be
11 criminal culpability on your part, I am advising
12 that you--that you have the right to remain silent.
13 Anything you say may be used against you in a court
14 of law. You have the right to the presence of an
15 attorney before and during any questioning. If you
16 cannot afford an attorney, one will be appointed
17 for you free of charge before any questioning, if
18 you want. Do you understand each of these rights
19 as I have explained them to you?
20 SGT STEGER: Yes, I do.
21 SGT CRUDO: Okay. Are you prepared to be
22 interviewed at this time?
23 SGT STEGER: No.
24 SGT CRUDO: All right. Although you have
25 the right to remain silent and not incriminate

1 yourself, your silence may be deemed
2 insubordination and result in administrative
3 discipline up to and including removal from office
4 as a police officer. In Garrity vs. New York and
5 reaffirmed in Gardner vs. Broderick, United States
6 Supreme Court held that a public employee has the
7 right to be free from compulsory self-
8 incrimination. When an employee is compelled to
9 provide a statement under the threat of removal
10 from office, the statement cannot be used against
11 the employee in a subsequent criminal prosecution.
12 In Lybarger vs. the City of Los Angeles, the
13 California Supreme Court held that although you
14 have the right to remain silent and not incriminate
15 yourself, your silence may be deemed
16 insubordination and as such result in the
17 imposition of administrative discipline up to and
18 including termination. Any statement made by you
19 under the compulsion of such a threat cannot be
20 used against you in a later criminal receding--
21 proceeding related to this incident. If you do
22 answer my questions, your statements and any
23 information gathered by reason of such will be held
24 confidential in accordance with California Penal
25 Code 832.7. Your statement and any information

1 gathered shall not be divulged, except as required
2 by law. Do you understand these court decisions?

3 SGT STEGER: Yes, I do.

4 SGT CRUDO: Okay. Are you familiar with
5 the Public Officer's Bill of Rights, as defined in
6 the California Government Code?

7 SGT STEGER: Yes, I do--yes, I am.

8 SGT CRUDO: And do you understand, then,
9 your rights as a sworn police--peace--a sworn peace
10 officer?

11 SGT STEGER: Yes, I do.

12 SGT CRUDO: Do you understand that I'm
13 conducting an administrative investigation?

14 SGT STEGER: Yes, I do.

15 SGT CRUDO: Okay, Sergeant Steger, my name
16 is Sergeant John Crudo. I work for the Internal
17 Affairs Division of the San Francisco Police
18 Department. I have been designated by the Chief of
19 Police to conduct this investigation. I am
20 therefore ordering you to answer my questions. Do
21 you understand this order?

22 SGT STEGER: Yes, I do.

23 SGT CRUDO: Okay, Sergeant Steger, are you
24 prepared to be interviewed at this time?

25 SGT STEGER: Yes.

1 SGT CRUDO: Okay. All right. So, um, as
2 you know, um, I monitored the voluntarily interview
3 that you, um, conduct--was conducted with, uh,
4 Homicide Detail, um, on the morning of Friday,
5 April 8th, 2016. And you were provided with a copy
6 of a recording and a transcript from--transcript
7 from that interview, and instructed to review your
8 criminal interview ahead of this interview. Have
9 you had the opportunity to review your prior
10 interview?

11 SGT STEGER: Yes, I have.

12 SGT CRUDO: Okay. Uh, it is not uncommon,
13 after a life-threatening encounter, as the body
14 works through natural release of adrenaline and
15 other, uh, psychological reactions, that additional
16 things are remembered or memories and perceptions
17 become clearer. Having reviewed your interview
18 with Homicide and DA Investigators, is there--is
19 there anything you would like to clarify, correct,
20 amend, or add regarding your prior statement?

21 SGT STEGER: Uh, there are some minor things
22 that--came to light. Um, just things like I was
23 asked if I had issued any, um, commands, um, to the
24 subject. Uh, in reviewing the now-public video
25 tape, um, I can hear that there are two people at

1 some point issuing commands to drop it, and I
2 believe that one of those people was me. I--I just
3 do not recall--to this day, I don't recall, um,
4 making that statement.

5 SGT CRUDO: So--

6 SGT STEGER: I don't recall the command.

7 SGT CRUDO: Fair enough.

8 SGT STEGER: I just--but viewing the video,
9 it's obvious that I--I did. I mean, there were
10 only three officers there and one of them was
11 giving him commands in Spanish. So.

12 SGT CRUDO: Um, and--and I'll talk about
13 this a little bit later, Sergeant, but--you know,
14 it--when we talk today, we'll talk based on what
15 you remember and not things that you may have
16 learned since. So--

17 SGT STEGER: Okay.

18 SGT CRUDO: That's a--that's a really clear
19 explanation. Thank you. Um. Prior to your, uh,
20 interview with criminal investigators on April 8th,
21 2016, did you review, then, a video recording made
22 on Shotwell Street on April 7, 2016, approximately
23 10:00 hours?

24 SGT STEGER: Yes.

25 SGT CRUDO: Okay. And then I also

1 understand that you've ma--um, attended a mandatory
2 [certainty] briefing as well as recommended range
3 and force option debriefings since this, uh,
4 incident. Is that accurate?

5 SGT STEGER: Yes.

6 SGT CRUDO: Okay. And you kind of touched
7 on this but have you been exposed to any news
8 coverage, social media, or other information or
9 speculation about this incident?

10 SGT STEGER: Uh, yes, I've--uh--I think I've
11 read two articles online.

12 SGT CRUDO: So the--the, uh, interview, um,
13 recordings and transcripts that I asked you to
14 review, like the video you were shown by the
15 criminal investigators, are intended to freshen
16 your memory and obtain a clearer, uh, recollection
17 of what you perceived at the time of the incident.
18 Um, and it is important that you answer questions
19 in this interview based only what you recall of
20 your first-hand observations and perceptions and
21 recollection of the incident, as you processed it
22 on that morning. Okay? Um, rather than any
23 information or hearsay that you may have been
24 exposed to since that incident, do you understand?

25 SGT STEGER: Yes.

1 SGT CRUDO: Okay. So--briefly in your own
2 words--in your own words, Sergeant, why are we
3 speaking to, uh, to us--why are you speaking with
4 us today?

5 SGT STEGER: Uh, because I was involved in a
6 Officer-Involved Shooting on, uh, April 7th, at
7 about 10:00 hours, um, involving a man wielding a
8 knife who attempted to kill me.

9 SGT CRUDO: And, uh, forgive my pauses but
10 I'm taking notes.

11 SGT STEGER: Yes.

12 SGT CRUDO: Okay. And, uh, are you
13 currently under the influence of any controlled
14 substances, including prescription medications that
15 might affect your ability to complete this
16 interview?

17 SGT STEGER: No.

18 SGT CRUDO: And how do you feel about
19 speaking with me about the incident?

20 SGT STEGER: I'm okay with it.

21 SGT CRUDO: Uh, do you then have a specific
22 and independent recollection of what transpired on
23 the morning of April 7th in the area of 400--the
24 400 block of Shotwell Street between 18th and 19th
25 Streets?

1 SGT STEGER: I'm sorry. Do I have a--
2 SGT CRUDO: An independent and specific
3 recollection?
4 SGT STEGER: Yes, I do.
5 SGT CRUDO: Before we get into the--meat of
6 the interview, um, I do want to confirm and expand
7 on some of the background that was provided during
8 your interview with Homicide, okay? Um. And I'll
9 touch on this. I have it in my notes here. But--
10 what we'll do in this video--or this interview,
11 because you've already made a statement, I'm gonna
12 ask through the course of this anymore--of
13 clarifying questions or questions that weren't
14 asked in that interview, rather than do a redundant
15 interview.
16 SGT STEGER: Okay.
17 SGT CRUDO: Okay. So, um, you said that
18 you entered the Department June 28th, 1999 and I
19 believe that you had prior law enforcement as well?
20 SGT STEGER: Yes.
21 SGT CRUDO: Okay. Can you tell me about
22 that?
23 SGT STEGER: Uh, for--uh, approximately
[REDACTED]
[REDACTED]

1 [REDACTED]

2 SGT CRUDO: Okay. And is there any prior
3 military service?

4 SGT STEGER: No.

5 SGT CRUDO: Uh, Sergeant, how tall are you?

6 SGT STEGER: I am 5'10".

7 SGT CRUDO: And how much do you weigh?

8 SGT STEGER: Um. 210 pounds.

9 SGT CRUDO: And you're wearing glasses?

10 SGT STEGER: Yes.

11 SGT CRUDO: They're prescription?

12 SGT STEGER: Yes.

13 SGT CRUDO: Okay. Were you wearing them at
14 the time of the incident?

15 SGT STEGER: Yes.

16 SGT CRUDO: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

17 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

18 [REDACTED] [REDACTED] [REDACTED]

19 [REDACTED] [REDACTED] [REDACTED] [REDACTED]

20 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

21 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

22 [REDACTED] [REDACTED]

23 SGT CRUDO: Um. When was the last time
24 that you--recall consuming alcohol prior to the
25 incident?

1 SGT STEGER: Um--I may have had a glass of
2 wine the night before. Uh.
3 SGT CRUDO: Possibly. You don't know
4 distinct.
5 SGT STEGER: No. There's been no--there
6 hasn't been any large consumption of alcohol for
7 awhile. Um. And I--and the reason I know this is
8 I actually specifically was cutting down on my
9 drinking to help lose weight. So.
10 SGT CRUDO: How much sleep did you have the
11 night before, uh, your shift on the 7th?
12 SGT STEGER: Um, I--I had--7 to 8 hours.
13 [PHONE BUZZ]
14 SGT CRUDO: And--
15 ATTY BURRELL: Sorry.
16 SGT CRUDO: It's okay, Scott. You need to
17 [view].
18 ATTY BURRELL: No. No.
19 SGT CRUDO: Okay.
20 ATTY BURRELL: [UNINTELLIGIBLE] Later.
21 SGT CRUDO: Okay. Um. Uh, 7 to 8 hours.
22 SGT STEGER: Yes.
23 SGT CRUDO: Sleep? And, uh, what time did
24 you get up for work on that day?
25 SGT STEGER: Um. I got up quarter to 5.

1 SGT CRUDO: Uh, is that the normal--
2 SGT STEGER: That's my normal. It's what my
3 alarm is set for.
4 SGT CRUDO: And do you recall last time you
5 might have eaten before this incident happened? It
6 was a couple days--
7 SGT STEGER: Uh, yeah, I--I--I can't
8 remember. I think--um, usually I actually try and
9 eat something at work and I'm trying to remember if
10 that was the day I had--uh--you know, I--I can't.
11 SGT CRUDO: Do you recall if you did eat
12 something?
13 SGT STEGER: I'm almost positive I did
14 because I--I have to take medication in the morning
15 and I prefer to take it--you know, when I eat so
16 generally what I have is--you know, I probably had
17 a yoghurt and some granola. Um. Yeah. I think
18 that was the morning that I--was having that.
19 SGT CRUDO: Okay. And then you said--and
20 in your Homicide interview, um, and I say "Homicide
21 interview" but obviously the DA's were in there as
22 well. So--
23 SGT STEGER: Yeah.
24 SGT CRUDO: Was your criminal investigative
25 [re]--um, you're currently a Sergeant assigned to

1 patrol at Mission Station, correct?

2 SGT STEGER: Yes.

3 SGT CRUDO: Using the call sign 3 David

4 101?

5 SGT STEGER: Yes.

6 SGT CRUDO: And your normal work shift is--

7 06 to 16 hours?

8 SGT STEGER: Yes.

9 SGT CRUDO: And those were the hours you

10 were working April 7th, right?

11 SGT STEGER: Yes.

12 SGT CRUDO: What watch off group are you,

13 uh--

14 SGT STEGER: I'm 4.

15 SGT CRUDO: And then you said that you were

16 working at Mission Station for approximately two

17 and a half years? Has--is that correct?

18 SGT STEGER: Yeah. That's not all the time

19 I spent at Mission. That's the amount of time I've

20 spent as a Sergeant.

21 SGT CRUDO: Okay--

22 SGT STEGER: Coming back to, uh, Mission

23 Station.

24 SGT CRUDO: Okay.

25 SGT STEGER: I've been a Sergeant since, um,

1 2008. Um, prior to that I spent approximately
2 eight years at, um, at Mission Station on patrol.
3 SGT CRUDO: And--and--you're getting ahead
4 of me. Um. I'll--I'll walk you--I'll have you
5 walk me through kind of the different assignments
6 you've had.

7 SGT STEGER: Okay.

8 SGT CRUDO: Along the way. I'm and just
9 say. And--but since you've been at Mission as a
10 Sergeant, all--the whole time in patrol, have you
11 don't any SID or anything else that--

12 SGT STEGER: No. I've been a patrol the
13 entire time.

14 SGT CRUDO: Okay. And then, uh, can you
15 walk me through sort of, with respect to your
16 assignments, [REDACTED] [REDACTED] [REDACTED] [REDACTED] when
17 you're--it's--your different assignments through
18 your law enforcement career?

19 SGT STEGER: Uh, sure--

20 SGT CRUDO: What you have done with them?

21 SGT STEGER: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED] Was accepted in,
15 in '99. Um. Graduated the Academy, um, in, uh,
16 2000. Uh, the very beginning of 2000. And, uh,
17 uh, did my FTO at Ingleside. Um. Did my probation
18 at Mission. Um. Permanent assignment was, um,
19 Bayview. Um. And my P1 came up very quickly to go
20 back to Mission. And I remained at Mission up
21 until I got promoted to Sergeant.
22 SGT CRUDO: When--when were you promoted to
23 Sergeant?
24 SGT STEGER: 2008.
25 SGT CRUDO: And then from there, where did-
-

1 SGT STEGER: Um--so then I got, um, I went
2 to VRT for about six months. Um. And then was
3 assigned to IA. And was there for just under three
4 years. Um. Worked in the Chief's Office for a
5 couple of months. And then was up at the, uh,
6 Academy.

7 SGT CRUDO: And then Mission?

8 SGT STEGER: And then Mission.

9 SGT CRUDO: Um, and I think you touched on
10 this in your Homicide interview. Are SID-trained?

11 SGT STEGER: No. I am not.

12 SGT CRUDO: Are you rifle-trained?

13 SGT STEGER: No.

14 SGT CRUDO: Are you a CERT member?

15 SGT STEGER: No.

16 SGT CRUDO: Do you speak any other
17 language?

18 SGT STEGER: No.

19 SGT CRUDO: Um. Do you recall last time
20 you went to AO?

21 SGT STEGER: Um--I don't recall. [LAUGH]
22 Um. I know that--I know that I'm--I'm--in
23 compliance. Um. But I can't--uh--

24 SGT CRUDO: Okay.

25 SGT STEGER: It should be coming up in a--I

1 guess it was about a year ago, really.

2 SGT CRUDO: Within the last two years?

3 SGT STEGER: Yeah. I mean, I know I'm in

4 compliance.

5 SGT CRUDO: And, uh, when was the last time

6 you qualified at the range?

7 SGT STEGER: Um--

8 SGT CRUDO: And not--not--

9 SGT STEGER: Not the new one, yeah.

10 SGT CRUDO: [UNINTELLIGIBLE]

11 SGT STEGER: Um, that would have been

12 December.

13 SGT CRUDO: And was--was that the new--the-

14 -the re-designed--

15 SGT STEGER: No.

16 SGT CRUDO: Okay.

17 SGT STEGER: No. It was not.

18 SGT CRUDO: Um. Did you qualify with an

19 ERIW at that time?

20 SGT STEGER: Yes. I--yes, I did.

21 SGT CRUDO: Do you have any other--uh,

22 specialized training?

23 SGT STEGER: Um. I have been through, um,

24 Biased Policing. I have been through, um, the Blue

25 Courage, uh, Train the Trainer. I've been through,

1 um, uh, Inclusive Leadership. Um. Uh. I am a
2 certified state instructor. Um. I've taught, uh,
3 Conflict Resolution. Um. What used to be the
4 Landlord/Tenant Disputes up at the Academy. Um.
5 Uh, EVOC instructor. Um. I know I'm missing some
6 stuff. I--I was an FTO as a officer, um, just
7 entered back into the program as a Sergeant. Um.
8 I know I'm missing some stuff but--

9 SGT CRUDO: Okay.

10 SGT STEGER: Yeah. [LAUGH]

11 SGT CRUDO: Yes, okay. And when--when you
12 said "certified state instructor", is that through
13 [UNINTELLIGIBLE]--

14 SGT STEGER: The Academy, yeah. Yeah.

15 SGT CRUDO: Oh, post--post. Certified. On
16 April 7th, um, you were wearing short-sleeved,
17 Class B uniform?

18 SGT STEGER: Yes.

19 SGT CRUDO: And that was the outer layer
20 that you had on at the time of the incident?

21 SGT STEGER: Yes.

22 SGT CRUDO: No jacket.

23 SGT STEGER: No jacket.

24 SGT CRUDO: Okay. And did CSI photograph
25 you--I believe you went back to Mission Station?

1 SGT STEGER: Yes.

2 SGT CRUDO: Okay. At Mission Station,
3 wearing that attire?

4 SGT STEGER: Yes.

5 SGT CRUDO: The attire you had on? Okay.
6 And so the stars--star patches that you were
7 wearing, they--they were in the place and manner
8 that you had them on at the time of the incident.

9 SGT STEGER: Yes.

10 SGT CRUDO: Okay. Um. I want to kind of
11 go through, just a little check list of the--
12 equipment you had on your person. Communication-
13 wise, what did you have?

14 SGT STEGER: Uh, PIC radio.

15 SGT CRUDO: Okay.

16 SGT STEGER: Signed PIC radio.

17 SGT CRUDO: Um. Did you have extra
18 magazines?

19 SGT STEGER: Yes. Two extra magazines.

20 SGT CRUDO: Okay. Um. Fully loaded?

21 SGT STEGER: Yes.

22 SGT CRUDO: Okay. With how many rounds?

23 SGT STEGER: Uh, 12 in each of the round--in
24 each of the magazines.

25 SGT CRUDO: Um. Handcuffs or restraints?

1 SGT STEGER: Yes. Handcuffs.
2 SGT CRUDO: Do you--do you carry one or two
3 pair?
4 SGT STEGER: I just carry one.
5 SGT CRUDO: Okay. Or more. I guess some
6 people. Um.
7 SGT STEGER: Yeah, some people--
8 SGT CRUDO: Um, an impact weapon.
9 SGT STEGER: Uh, yes. I had my collapsible
10 baton, Monadnock. Uh, brand.
11 SGT CRUDO: Uh, did you have OC?
12 SGT STEGER: Yes.
13 SGT CRUDO: Any other force options, uh,
14 other than firearm? Any other force options on
15 your person?
16 SGT STEGER: No.
17 SGT CRUDO: Okay.
18 SGT STEGER: No, sir.
19 SGT CRUDO: Um. With your firearm, are you
20 right- or left-handed?
21 SGT STEGER: Right-handed.
22 SGT CRUDO: Okay, so you--uh, that would be
23 your dominant hand?
24 SGT STEGER: Yes.
25 SGT CRUDO: Okay. And, uh, you--I believe

1 said you were issues the Sig 226?

2 SGT STEGER: Yeah, I believe that's what it

3 is.

4 SGT CRUDO: Okay. And--

5 SGT STEGER: The 226 is the larger frame.

6 29 is the smaller frame.

7 SGT CRUDO: Yes.

8 SGT STEGER: Correct? Yeah.

9 SGT CRUDO: Yeah.

10 SGT STEGER: That's 26.

11 SGT CRUDO: Okay. And that's what you were

12 carrying the night--or the day of the incident?

13 SGT STEGER: Yes.

14 SGT CRUDO: Okay. Um. And was the

15 Department-issued firearm, the Sig 226, was it

16 fully loaded?

17 SGT STEGER: Yes.

18 SGT CRUDO: Okay. With a cartridge in the

19 chamber?

20 SGT STEGER: Yes.

21 SGT CRUDO: And I mean the full magazine

22 loaded in the weapon?

23 SGT STEGER: Yes.

24 SGT CRUDO: With 12 rounds?

25 SGT STEGER: Yes.

1 SGT CRUDO: Okay. Um, do you have any
2 modifications or accessories on the firearm?
3 SGT STEGER: No.
4 SGT CRUDO: Okay. And we talked about your
5 spare mags?
6 SGT STEGER: Yes.
7 SGT CRUDO: Um, and did CSI collect all of
8 your spare magazines?
9 SGT STEGER: Yes.
10 SGT CRUDO: Okay. Um. Do you carry a--a
11 personal or secondary firearm?
12 SGT STEGER: No.
13 SGT CRUDO: Okay. Um. Did you have any
14 other personal gear on you? A knife, hobble, um--
15 SGT STEGER: Uh--
16 SGT CRUDO: Anything else?
17 SGT STEGER: I have a--I had a knife that I
18 keep actually in my vest. And--and that's--yeah,
19 that's it.
20 SGT CRUDO: Okay. And then I think you
21 said you were driving a Ford Explorer?
22 SGT STEGER: Yes.
23 SGT CRUDO: And I presume that's a marked
24 SUV?
25 SGT STEGER: Yes. That's--

1 SGT CRUDO: I believe that's at the scene
2 when I got there. So--um--do you know what number-
3 -
4 SGT STEGER: Uh, it--230 is the--
5 SGT CRUDO: Hm-hmm.
6 SGT STEGER: Unit number.
7 SGT CRUDO: And then does it have red and
8 blue emergency lights?
9 SGT STEGER: Yes.
10 SGT CRUDO: And does it have alley lights
11 and/or spotlights?
12 SGT STEGER: Yes.
13 SGT CRUDO: And radio?
14 SGT STEGER: Yes.
15 SGT CRUDO: Okay. And does--do--are there
16 any force options that are carried in that vehicle?
17 Rifle, ERIW, even spike strips, anything like that?
18 SGT STEGER: Um. On that day I did not have
19 any other options in the car at that time.
20 SGT CRUDO: Okay. And, uh, I--I know you
21 touched on this in your interview but just to make
22 sure, was there anyone with you in the vehicle?
23 SGT STEGER: No.
24 SGT CRUDO: And, um--so on the morning of
25 April 7th, you--you initially responded to a call

1 at 17th and Shotwell, you said? And are you
2 familiar with the area of Shotwell between 17th and
3 19th--

4 SGT STEGER: Yes.

5 SGT CRUDO: That corridor in that area?
6 Okay. How and why?

7 SGT STEGER: Uh, well, I've been working in
8 the Mission for, uh, combined, um, almost 11 years
9 so it's not that far from the Mission Police
10 Station. In my, uh, daily patrols, uh, had calls
11 down there for, um, every--uh, everything from
12 minor crimes, you know, homeless--the homeless
13 encampments, we get calls on a regular basis about
14 down there. Um. And it's also near the PG&E plant
15 and fire station is right around the--the corner.
16 So.

17 SGT CRUDO: And that's Station 7, right?

18 SGT STEGER: Yes.

19 SGT CRUDO: And then can you, um--you kind
20 of touched on it but--how would you describe this
21 area with regards to law enforcement issues you've
22 encountered and--um--how--are you familiar with law
23 enforcement issues that you typically run into and,
24 uh, in--in that corridor?

25 SGT STEGER: Um, yeah. Well, during the

1 day, it's generally the, um, the homeless is the--
2 the number one call. Um, during day watch. Um. I
3 think, uh, late swings, uh, uh, into mid--uh--I
4 think the prostitution actually ends up down around
5 that area as well. Uh, calls for prostitution.
6 Um. Auto burgs, uh, I believe we've--I believe
7 we've had some street robberies down around that
8 area. Um, I don't know about how recent but, uh--
9 you know, it's not, uh--it's an active area, I've
10 been describe it. Um. We definitely get calls for
11 service down there.

12 SGT CRUDO: And, uh--so--with regards to
13 the voluntary statement you gave to the criminal
14 investigators, um, having reviewed it, it--do--do
15 you feel that you need to comment? Is that
16 accurate recounting of your observations and
17 perceptions, um, uh, at--at 10 o'clock on the day
18 of April 7th?

19 SGT STEGER: Yes.

20 SGT CRUDO: Okay. And I--and I know I
21 asked you this, but just, uh--is--is there
22 anything--in the account that you think you need to
23 elaborate on, clarify, amend, or--

24 SGT STEGER: Um--

25 SGT CRUDO: [UNINTELLIGIBLE] having

1 reviewed it.

2 SGT STEGER: You know, the--the, uh, the
3 things that jump out in my mind are just, uh, the
4 commands. Um. I remember not saying anything
5 while--uh--Mike Mellone was issuing his commands
6 initially. Um, and--and I specifically remember
7 thinking, okay, he's getting--he's--he's clear. I
8 don't wanna--I don't wanna muddy the waters. I
9 know how when you get a bunch of people yelling
10 commands, it just turns into--noise. Um. And
11 then, uh, when I--when I saw the video, um, and I
12 was actually listening to it, I could hear that as
13 things unfolded, I did start issuing. I still
14 don't remember, um, issuing those commands but, uh,
15 you know, that--uh--also I--um--the--the only other
16 thing that I could, uh, that I can think of was,
17 you know, I thought I--I thought I had taken a step
18 or two back. Um, looking at the video, I--took
19 several steps back.

20 SGT CRUDO: But your recollection--I mean,
21 you still--

22 SGT STEGER: It was everything else--

23 SGT CRUDO: Your perception is still a
24 couple of steps and you--

25 SGT STEGER: Yeah.

1 SGT CRUDO: You just--okay. Um, and as I
2 had mentioned earlier in the interview, 'cause
3 you've already given a complete and voluntary
4 statement to the criminal investigators, I'm going
5 to try and avoid--you know, asking you a lot of
6 redundant questions. And--but--I'll be asking
7 clarifying questions based on that previous
8 interview. So it was really important that you,
9 um, review it prior. Um. I have, uh--yeah, right
10 here. I have a copy of the transcript in case you
11 want to refer to it.

12 SGT STEGER: Okay.

13 SGT CRUDO: Okay, of the interview? Having
14 looked at the transcript, I know we've had some
15 problems, some errors or something, um, in the
16 transcript.

17 SGT STEGER: Yeah.

18 SGT CRUDO: Are there any that you saw that
19 you--uh, need to point out at this time?

20 SGT STEGER: Uh, nothin' that jumps out. I--
21 -I did see a few words like, oh, they--they
22 weren't--they misunderstood the recording or
23 something but, um, uh, I think there was--uh, one
24 thing that I want to point out, it--it says, um,
25 that I said, uh, the knife was in the grass. It

1 was--I think I believe--I believe I said it was in
2 his grasp.

3 SGT CRUDO: Okay.

4 SGT STEGER: Um. There was no--grass in the
5 area.

6 SGT CRUDO: Oh.

7 SGT STEGER: It was all sidewalk.

8 SGT CRUDO: And, uh, Scott, what we'll do
9 is kind of what we--what we talked about on
10 previous cases where it may be--if--if you review
11 it carefully and--and you have a copy of the
12 recording as well, and--and if you guys, uh, either
13 of you want to give me back corrections, just for
14 the record, you know, we can do that.

15 ATTY BURRELL: Okay.

16 SGT CRUDO: Okay? After the meeting.

17 ATTY BURRELL: Okay.

18 SGT CRUDO: Okay?

19 ATTY BURRELL: We'll do that. Thank you.

20 SGT CRUDO: All right. Um. So for this
21 interview as a reference, I have these two--like--
22 two images, I've marked 1 and 2, okay? So 1 is
23 sort of a Google map.

24 SGT STEGER: Hm-hmm.

25 SGT CRUDO: Overview of the area we're

1 talking about, the one block surrounded by South
2 Van Ness, Shotwell, 18th, and 19th. And what I've
3 done is where the number is, that's--north.

4 SGT STEGER: Okay.

5 SGT CRUDO: The number 1.

6 SGT STEGER: Okay.

7 SGT CRUDO: And then number 2, this is--uh,
8 a draft of a sketch being prepared by CSI, okay?
9 Um, I've edited this a little bit to take out, um,
10 the--the--um, the original has evidence marked and
11 things like that.

12 SGT STEGER: Yeah.

13 SGT CRUDO: I--I don't want you to see
14 that. I'd rather hear things based on your
15 recollection.

16 SGT STEGER: Okay.

17 SGT CRUDO: But these are both for sort of--
18 -geographical reference as we may need in the
19 course of this interview. Okay? Um. But looking
20 at number 1, and this--this is a Google maps--

21 SGT STEGER: Yes.

22 SGT CRUDO: Image. And it is not taken on
23 the date nor the time, uh, of your incident and it
24 doesn't reflect the scene conditions on April 7th.
25 But with that in mind, is the same area you

1 responded to on April 7th?

2 SGT STEGER: Yes, it is.

3 SGT CRUDO: That's a--uh, we can use that
4 as a--effective overview, if need be.

5 SGT STEGER: Yes.

6 SGT CRUDO: Okay. And then, um, this is
7 just a two-dimensional drawing, uh, as I described,
8 I've--I've edited, uh, a little bit. Um. So that
9 that marked evidence is not visible to you on that?

10 SGT STEGER: Yes.

11 SGT CRUDO: Um. And this--but this is a
12 to-scale--to-scale drawing. Um. And, uh, but
13 this, uh, this--may be helpful in determining, you
14 know, approximate position, relative position, some
15 of the dynamics, um, during the incident.

16 SGT STEGER: Okay.

17 SGT CRUDO: So--that's--to reference as--
18 as, you know, may come up. Um. Does this--
19 correspond--this sketch correspond to your
20 recollection at the scene? I mean, as--as you--

21 SGT STEGER: Yeah, I--you know, the number
22 of--trees, let's see. Yeah, I--I mean, I guess
23 that's--yeah. I guess that's correct. Um. As I
24 remember it.

25 SGT CRUDO: Okay. And this would be the

1 two police vehicles that are involved. We'll talk
2 about those little bit more.

3 SGT STEGER: Okay.

4 SGT CRUDO: And, uh--the vehicles, that's
5 the truck.

6 SGT STEGER: Okay.

7 SGT CRUDO: Okay? The--um--is there
8 anything--you mentioned the trees, is there
9 anything you can think of that should be added or
10 changed in the sketch but--that's based on your
11 recollection?

12 SGT STEGER: Um, well, I was just--these--
13 these trees here right in front of the truck, I was
14 just kind of like--um--for some reason I thought--

15 SGT CRUDO: There's--there's a set of two
16 trees between this parked car and this--

17 SGT STEGER: And the truck--

18 SGT CRUDO: Parked truck?

19 SGT STEGER: Yes.

20 SGT CRUDO: On the--on the east sidewalk.

21 SGT STEGER: Yeah, and for some reason I
22 just kind of remember those being slid down a
23 little further but, um, but that's--my--what my
24 recollection is.

25 SGT CRUDO: Okay. All right. Um. So--

1 the--this will suffice for the purpose of this
2 interview of--

3 SGT STEGER: Yeah, I mean, this looks--this
4 is--basically the same as--

5 SGT CRUDO: Okay.

6 SGT STEGER: Uh, I recognize this as being
7 the same.

8 SGT CRUDO: Okay. Okay. So that's just--
9 it--should--should be helpful--

10 SGT STEGER: Yeah.

11 SGT CRUDO: In the course of this thing, we
12 can use that. 1 and 2. All right. Um. In your--
13 in your Homicide interview, you said that you were
14 originally responding to a 100 call at the time of
15 the incident.

16 SGT STEGER: Yes.

17 SGT CRUDO: Were--were you actually say
18 that you were pre-empted from a 100 call?

19 SGT STEGER: I pre-empted myself.

20 SGT CRUDO: Okay.

21 SGT STEGER: Yeah. I had--I had requested
22 the--the alarm call from Dispatch. I was
23 responding to that. Um, I heard this call come
24 out. Uh, I heard, uh, Officer Mellone say he was
25 responding with ERIW. Um. And, uh, you know, my--

1 my mindset was, well, you know, the alarm can wait.
2 You know, uh, we were short-staffed. It was a hot
3 day. But it just, like, you know, the--a recipe
4 for things to go--kind of go bad. And, uh, I
5 believe I was the, um, only supervisor on the
6 street at that time. So, uh, because ERIW was
7 there, I--I had to respond.

8 SGT CRUDO: Okay.

9 SGT STEGER: I mean, I--it's--yeah.

10 SGT CRUDO: And--and that would also be--
11 conform to, uh--

12 SGT STEGER: Also the mental--I don't know.
13 We didn't know for sure that he was--

14 SGT CRUDO: 5155.

15 SGT STEGER: Yeah. We just didn't know for
16 sure at that point whether he--there was a mental
17 health issue.

18 SGT CRUDO: Okay. So there was no--

19 SGT STEGER: Uh, but--

20 SGT CRUDO: Information that was broadcast
21 at that point--

22 SGT STEGER: Not--

23 SGT CRUDO: Okay.

24 SGT STEGER: Not initially.

25 SGT CRUDO: Okay. Um. And--and so the--

1 the call that you responded to, and I--the
2 location, I--you--said this in your Homicide
3 interview, in fact. Um. And I--and also in CAD,
4 it shows it was, uh, Shot--Shotwell and 17th.

5 SGT STEGER: Yes.

6 SGT CRUDO: Okay. And that was a 222.

7 SGT STEGER: Yes.

8 SGT CRUDO: Or a 22[2].

9 SGT STEGER: Yes.

10 SGT CRUDO: All right. Um. And then you
11 said that you initially headed north on Shotwell.

12 SGT STEGER: Yes.

13 SGT CRUDO: From 19th toward--towards 17th.
14 So from number 1--from the bottom of the page
15 towards the top of the page--

16 SGT STEGER: Yes.

17 SGT CRUDO: So that would have--that--that
18 would have passed you right through the location
19 where the subject was actually eventually located.

20 SGT STEGER: Yes.

21 SGT CRUDO: Okay. Um. In that first pass--
22 through, do you recall if anything act--actually
23 caught your attention at that time or did you
24 notice anything as you passed through the area?

25 SGT STEGER: No.

1 SGT CRUDO: Okay. So you wouldn't have
2 noticed whether the suspect was actually--there or--
3 -
4 SGT STEGER: No.
5 SGT CRUDO: In the pu--
6 SGT STEGER: No, it--
7 SGT CRUDO: [UNINTELLIGIBLE] eventually
8 encountered him.
9 SGT STEGER: Exactly. If--if I had not been
10 flagged down by the HOT team member who--you know,
11 I was--I was--I wasn't just screaming but I knew I--
12 -I--was thinking, okay, I need to be down here.
13 But I, you know, driving in the--
14 SGT CRUDO: Down here, you're pointing
15 towards the top of [UNINTELLIGIBLE]--
16 SGT STEGER: To the, uh, I'm sorry--
17 SGT CRUDO: Past--past--
18 SGT STEGER: Towards--
19 SGT CRUDO: 18th.
20 SGT STEGER: Yeah.
21 SGT CRUDO: Towards--
22 SGT STEGER: You know, once I--got closer to
23 18th, then--then I would start looking a little
24 more. It was--if it weren't for her kind of
25 stopping me, um, and saying, "Hey, he's over

1 there," um, I would have kept on driving.

2 SGT CRUDO: Okay.

3 SGT STEGER: Um.

4 SGT CRUDO: And--and while you're talking

5 about the--the HOT team, do you recall where you

6 were when you ran into the--not literally, but when

7 you--when you encountered the HOT team members?

8 SGT STEGER: Um--it was--you know, I'm gonna

9 say, uh, point--pointing at--I'm gonna say number 1

10 here, um, I want to say it was--it was up about

11 here. So, uh, almost mid-block--

12 SGT CRUDO: Hm-hmm.

13 SGT STEGER: A little shy of mid-block.

14 SGT CRUDO: That--this is--

15 SGT STEGER: On Shotwell.

16 SGT CRUDO: Okay, and this is the 400 block

17 of Shotwell so--

18 SGT STEGER: Yeah.

19 SGT CRUDO: You're still between, at this

20 point, between 18th and 19th.

21 SGT STEGER: Yes.

22 SGT CRUDO: Okay. And--did you speak the--

23 well--how many people were in the car?

24 SGT STEGER: I just saw one.

25 SGT CRUDO: Okay. And, uh, was that male

1 or female?

2 SGT STEGER: Female.

3 SGT CRUDO: Okay. Female. Um, so you were
4 northbound. Were they--how was their vehicle put--
5 were--were they going southbound?

6 SGT STEGER: They were actually parked, uh,
7 facing southbound.

8 SGT CRUDO: So the female was the driver?

9 SGT STEGER: Yes.

10 SGT CRUDO: Did you notice anybody--if
11 anybody else was in the car?

12 SGT STEGER: I did not.

13 SGT CRUDO: Okay. And so you saw 'em
14 somewhere--middle of that 400 block and she directs
15 you back.

16 SGT STEGER: Yeah.

17 SGT CRUDO: From--where you had just come.

18 SGT STEGER: Yes.

19 SGT CRUDO: Okay. Did she give you any
20 specific information about where that subject might
21 be located?

22 SGT STEGER: No. She just pointed, uh, you
23 know, kind of in the north direction over towards,
24 uh, the sidewalk, the east-side sidewalk. And
25 said, "He's over there." Um, and I believe I said,

1 "Oh, are--" I said, "Are you the--are you the one
2 who called?" Um. And I think she said, "Yes."
3 Um--
4 SGT CRUDO: And--
5 SGT STEGER: And the only reason I asked
6 that is I wanted to make sure I wasn't--confusing--
7 calls for service. Or--or anything. But--yeah.
8 SGT CRUDO: Um--and--and--did she--do you
9 recall if she gave you any information--other than
10 she just plain saying a general direction, did she
11 say, "He's over by the tree" or "by the house" or
12 "by the walk".
13 SGT STEGER: Just "over there".
14 SGT CRUDO: "Over there."
15 SGT STEGER: Yep.
16 SGT CRUDO: All right. Um. And then you
17 said that you saw Officer Mellone and told him that
18 the subject was behind you.
19 SGT STEGER: Yes.
20 SGT CRUDO: So--this is when you had--
21 SGT STEGER: So I have--
22 SGT CRUDO: Make a U-turn?
23 SGT STEGER: Yeah. I--uh, when--made the U-
24 turn.
25 SGT CRUDO: So is that roughly in the

1 intersection?

2 SGT STEGER: Intersection of 18th and

3 Shotwell is where I made the U-turn.

4 SGT CRUDO: And was--from your interview I

5 gathered but I don't think you specifically said,

6 was he then northbound? So he's northbound

7 Shotwell and you're southbound?

8 SGT STEGER: Well--

9 SGT CRUDO: Or, excuse me, you're

10 northbound Shotwell--

11 SGT STEGER: He--

12 SGT CRUDO: He's southbound?

13 SGT STEGER: When I saw him, he was actually

14 on 18th and he was--

15 SGT CRUDO: Okay.

16 SGT STEGER: Westbound on 18th Street and

17 then he made the left turn onto Shotwell, um, and I

18 said he--you know. HOT team just directed me back

19 here.

20 SGT CRUDO: So he's--he's somewhere at the

21 top of number 1--

22 SGT STEGER: Right here. Yeah.

23 SGT CRUDO: Okay. And you didn't have any

24 specific information to direct it toward. You just

25 said he's somewhere back there.

1 SGT STEGER: Yeah.

2 SGT CRUDO: And--you ended up stopping
3 behind Officer Mellone's vehicle.

4 SGT STEGER: Yes.

5 SGT CRUDO: Um. When you stopped--um--do--
6 did--did you know at that time, did you have some--
7 understanding of why Officer Mellone stopped where
8 he stopped?

9 SGT STEGER: Um, I--the--'cause there were
10 two subjects on the sidewalk where he stopped.
11 There was a couple of tents and--there were two--
12 two people on the sidewalk.

13 SGT CRUDO: Did you see him get out of his
14 car?

15 SGT STEGER: Yes, I did.

16 SGT CRUDO: Um. Did you see him grab any
17 equipment?

18 SGT STEGER: He--yeah, he--he deployed the,
19 uh, ERIW.

20 SGT CRUDO: And just so we're all on the
21 same page, uh, um, the term "deploy" as we're
22 talking about the ERIW, um, that means to bring to
23 a scene?

24 SGT STEGER: Yes. To take out of the
25 vehicle, um, yeah.

1 SGT CRUDO: Okay.

2 SGT STEGER: Bring to the scene.

3 SGT CRUDO: Not necessarily--

4 SGT STEGER: To--

5 SGT CRUDO: Firing.

6 SGT STEGER: No.

7 SGT CRUDO: Okay. Um. And so at the time

8 he's exiting, you're still in your vehicle?

9 SGT STEGER: Yes.

10 SGT CRUDO: Okay. Um. You said that you

11 saw--in--in your Homicide interview, you said that

12 you saw a subject matching the description holding

13 a, quote, unquote, "very, very large knife".

14 SGT STEGER: Yes.

15 SGT CRUDO: Okay. And he was sitting by

16 the property line and then you said you pointed

17 this out to Officer Mellone.

18 SGT STEGER: Yeah, I believe, um, 'cause he

19 was initially talking to the--the two people by the

20 tent. Uh, there were--there was--like I said, I

21 think there was--there may have even been two tents

22 set up there. And he initially was, um, uh,

23 talking to them or getting ready to talk to them.

24 And as I was getting up to go join him because I

25 didn't want him to be there alone, as I was walking

1 up, I could see him sitting over, uh, along the
2 building line.

3 SGT CRUDO: So based on what you were
4 saying in your Homicide interview, this would have
5 been--you were able to see the subject to your
6 right?

7 SGT STEGER: Yes.

8 SGT CRUDO: Um. Front right, like--roughly
9 like a--on a watch, one o'clock?

10 SGT STEGER: Yeah.

11 SGT CRUDO: Okay. Okay. Um. And so then
12 you--you direct him and--and then--it--is there--
13 your on--your--recollection would be that--is that
14 when Officer Mellone then was aware of him?

15 SGT STEGER: Yes. Then he--

16 SGT CRUDO: Okay.

17 SGT STEGER: He--directed his attention in
18 that--that direction.

19 SGT CRUDO: Okay. Don't mean to confuse
20 you.

21 SGT STEGER: Oh.

22 SGT CRUDO: Um. And when you first saw
23 him, how far away were you from the subject? The--

24 SGT STEGER: When I--when I--

25 SGT CRUDO: The [UNINTELLIGIBLE] on the

1 ground.

2 SGT STEGER: When I first saw him, um, um--

3 I--guessing, we were probably 30 feet when I first

4 saw him. Um. And then we closed that distance to

5 about 15 feet.

6 SGT CRUDO: And--so--this sketch number 2

7 may be useful. So, uh, we have--Officer Mellone's

8 car.

9 SGT STEGER: Hm-hmm.

10 SGT CRUDO: He gets out of his car and he

11 moves to this--the eastern sidewalk.

12 SGT STEGER: Yes.

13 SGT CRUDO: And is he moving--east or is he

14 moving southeast?

15 SGT STEGER: Uh, he--

16 SGT CRUDO: [UNINTELLIGIBLE] can move like

17 that--

18 SGT STEGER: He--he was--

19 SGT CRUDO: Where--where are the two folks

20 that he [be] initially?

21 SGT STEGER: Um. So the trees--I'm just--

22 they're kind of messing me up. But I--he kind of

23 gets out of his car and moves directly east almost,

24 is what I remember.

25 SGT CRUDO: Okay.

1 SGT STEGER: Um, and that's--these two trees
2 are kind of confusing 'cause I remember the tents
3 being arou9nd here and then there being no trees in
4 front of us.

5 SGT CRUDO: Okay.

6 SGT STEGER: Um. And then I joined him here
7 and as I'm walking up, I could see him sitting over
8 here I this area. And I don't remember if he was
9 sitting against the roll-up or next to the roll-up.

10 SGT CRUDO: So he--

11 SGT STEGER: I remember the roll-up--

12 SGT CRUDO: Okay.

13 SGT STEGER: But I don't remember--

14 SGT CRUDO: So he's--you--so--uh, 'cause
15 we're--we're--we're on audio-tape. Uh, you're--
16 Officer Mellone gets out and moves roughly east.

17 SGT STEGER: Yes.

18 SGT CRUDO: Of his vehicle. You join him
19 in that area. As you're joining him, you see the
20 suspect who's sitting over--near the roll-up door.

21 SGT STEGER: Yeah.

22 SGT CRUDO: Either--either in front of or
23 alongside the roll-up door.

24 SGT STEGER: Yes.

25 SGT CRUDO: And the roll-up door would be

1 over--the--you know, at the PG&E building. Um.
2 Yeah. The PG&E building and here on number 2 it's-
3 -you're talking about the one that's more north.
4 SGT STEGER: Yes.
5 SGT CRUDO: Okay. All right. Um. How far
6 away for--were you when you--when you pointed him
7 out to Officer Mellone? How far away were you from
8 Officer Mellone?
9 SGT STEGER: Um. Tryin', uh, 10 feet?
10 SGT CRUDO: 10 feet and that would be--
11 SGT STEGER: So as--so he's coming over and
12 he--he may have moved in a kind of a--southeast--
13 you know, uh, southeasterly direction from his
14 [UNINTELLIGIBLE]--
15 ATTY BURRELL: He--he being Officer Mellone.
16 SGT STEGER: Yeah, sorry. Um. Officer
17 Mellone may have moved out. And then I came
18 walkin' up and as I came walkin' up, I could see,
19 uh, over here somewhere along the building line,
20 that he was--he was sitting there with the--the
21 knife next to him.
22 SGT CRUDO: Let--let's do this so we kind
23 of keep it straight. So--I'll have you--just put a
24 triangle for the suspect where--where you think,
25 approximately look--and, again, these are

1 approximations--
2 SGT STEGER: Okay.
3 SGT CRUDO: Sergeant. So this is just--
4 I'm--kind of focusing on--
5 SGT STEGER: Yeah.
6 SGT CRUDO: Dynamics and--and, uh--
7 SGT STEGER: And these--and this is where
8 the cars were stopped.
9 SGT CRUDO: Yeah, this is--so--
10 SGT STEGER: Okay. I think--
11 SGT CRUDO: Uh, I will tell you that--that
12 CSI--this is, um, measured this based on where
13 that's--the vehicles were at the scene when they
14 arrived. So-- SGT STEGER: Okay.
15 SGT CRUDO: If they were moved, uh, between
16 the time shots were fired and CSI arrived at the
17 scene, then--they might be in a different position
18 but I don't think--
19 SGT STEGER: Okay. I don't--yeah.
20 SGT CRUDO: I don't believe that they were.
21 SGT STEGER: Okay. So I'm gonna, um--I
22 can't remember if he was right at the roll-up door
23 or right next to it. But I--I remember--I remember
24 seeing the roll-up door--
25 SGT CRUDO: If--if--

1 SGT STEGER: I'm gonna put it right here.
2 SGT CRUDO: Okay. Okay.
3 SGT STEGER: Uh, okay.
4 SGT CRUDO: Um, again, I--this is just
5 generalized, I mean--
6 SGT STEGER: Yes.
7 SGT CRUDO: This is not--okay. And then
8 for--uh, this is when you first see the suspect.
9 Okay.
10 SGT STEGER: Yes.
11 SGT CRUDO: Approximately where do you
12 recall Officer Mellone was and you put an M1?
13 SGT STEGER: See, I--I would say he was
14 actually up here.
15 SGT CRUDO: Okay.
16 SGT STEGER: Judging by these two trees
17 'cause this is where the tents were.
18 SGT CRUDO: Okay.
19 SGT STEGER: So he was getting out right
20 here. And then I was walking up to him and we saw.
21 SGT CRUDO: So you were--near--do--do you
22 recall maybe being in the area that--this parked
23 vehicle?
24 SGT STEGER: I mean, I remember walking by--
25 SGT CRUDO: Okay.

1 SGT STEGER: Cars. I don't remember
2 exactly--
3 SGT CRUDO: Okay.
4 SGT STEGER: But, yeah, that's--that's
5 about--
6 SGT CRUDO: So--an S1 there for Steger.
7 Okay. Okay. Um. So--and then you said you were
8 about 10 feet at this point from Officer Mellone.
9 SGT STEGER: Yeah.
10 SGT CRUDO: So do--
11 SGT STEGER: Give or take.
12 SGT CRUDO: You direct your attention and--
13 and--and are the folks that he's talking to kind
14 of--in the tents between these trees or in the area
15 of these tents between the trees?
16 SGT STEGER: Yeah. He--they're--they're
17 actually--there were two people outside of the
18 tents. So there may have--there may have been
19 other people inside the tent. I don't--I don't
20 know.
21 SGT CRUDO: Okay. Um. And you said that--
22 so--you--you saw Officer Mellone, he was talking to
23 the--the two--the--the two folks, witnesses or
24 whomever, that were there.
25 SGT STEGER: Yes.

1 SGT CRUDO: Okay. Um. And then you--you
2 said--you kind of answered this, you said that he
3 turned his attention once you pointed out "there he
4 is" or--
5 SGT STEGER: Yeah.
6 SGT CRUDO: "There--there's the guy." Um,
7 what made you realize that that was the--person
8 that you were looking for?
9 SGT STEGER: Uh, he was wearing a soccer
10 shirt and he--was carrying a very, very large
11 knife. Um. Yeah.
12 SGT CRUDO: Okay.
13 SGT STEGER: That's--
14 SGT CRUDO: And then--
15 SGT STEGER: That's the big--
16 SGT CRUDO: And then do you remember, uh,
17 what--what did Officer Mellone do? So he's ahead
18 of you. He's in between you and the suspect. So--
19 SGT STEGER: Yeah, but only--only somewhat.
20 At that point I had caught up to him and we were
21 kind of walking up together.
22 SGT CRUDO: Okay. So--once you recognized
23 that's our guy, you--both begin moving forward.
24 SGT STEGER: Yes.
25 SGT CRUDO: Okay. Was there any kind of

1 discussion? Any kind of, um--plan or did you guys-
2 -talk about any kind of engagement or tactics or
3 anything?

4 SGT STEGER: We did--we did not.

5 SGT CRUDO: Okay.

6 SGT STEGER: Um. However, uh, I've worked
7 with Mike for some time and I know that he's an
8 extremely capable individual. Uh, he's, um--he's
9 intelligent. He's thoughtful. He's, uh, he's got
10 his act together. Um. And he's working in the
11 Mission for some time. So I was confident that he,
12 um, was not gonna--over-react or anything like
13 that. Um. And while there was no verbal plan, you
14 know, I had a plan in my mind how--um--this was
15 gonna go down.

16 SGT CRUDO: Did--did you--notice anything
17 with respect to Officer Mellone and the ERIW? I
18 mean, first he's carrying the ERIW. Is he--is he
19 moving further with respect to deployment or
20 anything?

21 SGT STEGER: Uh, he--it--like I said, we
22 closed the distance to about 15 feet and he raised
23 the ERIW. Um. In the--the, um--yeah, I mean, it--
24 we closed it to about 15 feet and--and he had the--
25 the--um--the ERIW raised.

1 SGT CRUDO: And then you--you said that,
2 uh, before Officer Mellone fired the--this is in
3 the Homicide interview.
4 SGT STEGER: Yes.
5 SGT CRUDO: Um, before Officer Mellone
6 fired the first ERIW round, you said "I was lethal
7 cover. There was no one else there that I was
8 aware of at that time."
9 SGT STEGER: Yeah.
10 SGT CRUDO: Was there any discussion to
11 that effect or was that just sort of you assume
12 that role because you--
13 SGT STEGER: That's was I--
14 SGT CRUDO: Like assumed--
15 SGT STEGER: I assumed that--
16 SGT CRUDO: Default.
17 SGT STEGER: By default. I assumed that
18 role. I--um--
19 SGT CRUDO: And you'd kind of--talked about
20 this already but was there any communication prior?
21 Did you react to what you saw unfolding? Did you
22 guys discuss any--anything that was--
23 SGT STEGER: Well, there was--
24 SGT CRUDO: [UNINTELLIGIBLE]
25 SGT STEGER: No, there was no time for--

1 discussion.

2 SGT CRUDO: And so when you--when you drew
3 your gun, that was not because of a deliberate
4 plan, but it was more of a reaction to--kind of the
5 way it was unfolding.

6 SGT STEGER: Yeah, I--in fact, I was
7 actually, um, I was kind of slow at drawing my
8 weapon. Uh, in--in that I walked up. I hadn't
9 even unholstered my gun until it dawned on me that,
10 you know, I was it. I was lethal cover so then I
11 was like, oh, let me--I--you know, I have to--

12 SGT CRUDO: And you--you--

13 SGT STEGER: [UNINTELLIGIBLE] holster.

14 SGT CRUDO: Sorry. Sorry, sorry.

15 SGT STEGER: That's o--

16 SGT CRUDO: You--you said that, uh, it
17 dawned on you as you were walking up so how--how
18 close do you think you were--and I know that
19 there's a process of drawing, but how close do you
20 think you were and--when you--when you had your
21 weapon drawn?

22 SGT STEGER: Yeah, uh, 15 feet.

23 SGT CRUDO: Um.

24 SGT STEGER: But I--I--I don't think I--I
25 don't think I actually drew my weapon until we were

1 at the 15 foot mark and we had kind of stopped
2 moving at that point. Um, and that's when I--when
3 I unholstered.

4 SGT CRUDO: But up to that point this
5 would--it's like a moving--I want to say
6 deployment, moving deployment of the ERIW.

7 SGT STEGER: Yeah. And, uh, the thing--the
8 thing that you gotta remember is that--um--you
9 know, we wanted to give the guy enough space that
10 he had every opportunity to drop the weapon and,
11 you know, to comply with--with our orders and
12 everything. But we need to be close enough that A,
13 the ERIW is effective but more importantly that he
14 can hear our commands. Um. Not that there's--a
15 ton of traffic but it is the City. It is the
16 Mission. It is--you know, an area of high
17 concentration. So it--it--we--we moved to a--a
18 point that--uh, you know, I felt was reasonable and
19 safe. Um, for everybody.

20 SGT CRUDO: And then, um, I think you
21 touched on this in your--in your Homicide
22 interview. Um. But--was--was the suspect doing
23 anything differently from when you first saw him to
24 when Officer Mellone approaches with the ERIW,
25 brings it up, aims it at him? Does he do anything

1 differently when he initially aims it?

2 SGT STEGER: No.

3 SGT CRUDO: From when you first saw him?

4 Um, was--was he moving?

5 SGT STEGER: No.

6 SGT CRUDO: Um, how was he holding the

7 knife?

8 SGT STEGER: It was in his right hand. Uh,

9 he had a full grasp on the handle of the knife.

10 Um. It was by his side. Um, with his hand resting

11 on the ground, is what I remember.

12 SGT CRUDO: Okay, so you--as you're showing

13 me, you--you have your thumb and knuckles to the

14 ground.

15 SGT STEGER: Yes.

16 SGT CRUDO: And you're holding your fist--I

17 mean, I can see the white of your knuckles of--you

18 have--tight grip. I mean, that--

19 SGT STEGER: Yeah, I mean, he had a--

20 SGT CRUDO: Did he--did he appear to have a

21 pretty--

22 SGT STEGER: Yes.

23 SGT CRUDO: [UNINTELLIGIBLE] grip here--

24 SGT STEGER: He--he appeared to have a solid

25 grip on it.

1 SGT CRUDO: Okay. And--and then he--so it--
2 -the--the--the blade would have been outward--
3 SGT STEGER: Outward.
4 SGT CRUDO: And somewhat inward. So--
5 SGT STEGER: Yes.
6 SGT CRUDO: So--
7 SGT STEGER: Kind of pointing--
8 SGT CRUDO: Let me--
9 SGT STEGER: Towards his--
10 SGT CRUDO: Towards you?
11 SGT STEGER: Knee.
12 SGT CRUDO: Okay.
13 SGT STEGER: Towards his knee so if--if you
14 lay your hand out like this, it's coming out at
15 that [UNINTELLIGIBLE].
16 SGT CRUDO: Now you'd said that--um--he was
17 sitting on the ground when you saw?
18 SGT STEGER: Yes.
19 SGT CRUDO: Did he have his legs out?
20 SGT STEGER: They were just--yes, straight--
21 straight out is what I remember.
22 SGT CRUDO: So straight out, he's got his
23 hands by his knees. And is he facing your
24 direction? Is he facing towards Shotwell, do--do
25 you remember kind of--

1 SGT STEGER: He's--he's--
2 SGT CRUDO: Where--
3 SGT STEGER: Facing--
4 SGT CRUDO: His back is toward or--
5 SGT STEGER: His--his back is against the
6 building line. He's actually using the building--
7 the building as a back rest. So he would be facing
8 due--
9 SGT CRUDO: Directly toward
10 SGT STEGER: Due west, yeah.
11 SGT CRUDO: And then--you said that--that--
12 that, uh, Officer Mellone and you approached--
13 approached within 15 feet?
14 SGT STEGER: Yes.
15 SGT CRUDO: Okay. Um. And--
16 SGT STEGER: That's--
17 SGT CRUDO: When--when did--
18 SGT STEGER: Approximate.
19 SGT CRUDO: Do--do you remember when--when
20 you had talked about commands a little bit already.
21 When did the commands start? You talked in your
22 Homicide interview, I think the command "Drop the
23 knife", "Get on the ground". You mentioned those--
24 SGT STEGER: Uh--
25 SGT CRUDO: But do you remember when the

1 commands started to be issued?

2 SGT STEGER: Um--I can't remember if we were
3 still moving or not when Mike issued the first, um,
4 the first command. Um. If he had issued it while
5 we were moving, it would have been just prior to us
6 stopping. So, um, like almost simultaneously. Um,
7 if I remember correctly. Um.

8 SGT CRUDO: Okay. Um. I--I think you guys
9 talked about this a little bit, uh--
10 [UNINTELLIGIBLE]. Um. Department Bulletin 15-106,
11 Avoiding the Lawful But Awful Use of Force.

12 SGT STEGER: Yes.

13 SGT CRUDO: [UNINTELLIGIBLE]

14 SGT STEGER: Yes. Of that I'm familiar
15 with, uh--

16 SGT CRUDO: Okay. And--so that's an A
17 Priority bulletin and it specifies, uh, within it
18 that an officer should--should consider creating
19 time, distance, and establishing a rapport as an
20 alternative to using force in every other
21 circumstance, whenever it is safe to do so. And
22 for context, it's talking--the--it refers to a
23 prior bulletin where we--we clarify that officers
24 should not be using a force against a subject who
25 is only a danger to himself. So, uh, this--this

1 goes on to say that--all other circumstances at--
2 that--

3 SGT STEGER: Yes.

4 SGT CRUDO: That's the recommended way to
5 proceed. Were there feasible opportunities for you
6 to create time or distance or to establish rapport
7 with the subject in this situation?

8 SGT STEGER: No.

9 SGT CRUDO: Okay, why not?

10 SGT STEGER: Um. It--first I'd like to say
11 that while I don't agree with the title of the
12 bulletin, um, this is a practice that I've engaged
13 in, in most of my career. Um. I have always been,
14 um, let's--let's slow it down. You know, we don't
15 need to go fast. Slow it down and nobody's a
16 danger. Let's--you know, uh, uh, um--we can talk
17 this out. Uh. Um, I--I think I said in my
18 Homicide interview that--that, um, I am--I'm the
19 person who will spend hours to talk a guy who might
20 be in crisis into a pair of handcuffs and into the
21 back of a car so we don't have to tackle and fight
22 him. I mean, I--I don't--I'll take all the time in
23 the world. And that's what was--that was my
24 mindset going into this. This is what I had
25 planned to do. This is what I had always done.

1 Um. The plan was--we're gonna show up. The ERIW
2 will be out. We will issue a command for him to
3 separate him from the knife. And then we'll talk
4 about whatever he needs to talk about. And whether
5 it is that he's in crisis and he needs help and we
6 need to get him off to PS or--or, you know, or
7 whether he's just fixin' lunch. I--I don't know.
8 You know? I don't know what the knife is there for
9 and it's--we--the plan is--as it has always been,
10 is I'm gonna ask you to drop the knife. I'm gonna
11 order you to drop the knife and then we're gonna
12 separate you from the knife and then we'll--then we
13 can talk about it. All day long. Um. So in this
14 instance, when we first arrived, you know, a, uh,
15 uh, it was a very large knife. And he was not a
16 threat. An immediate threat to anybody. But he
17 was still a potential threat. He had a huge knife
18 sitting next to him. So, um, you know, it's--like
19 I said, it's an area of high concentration. We
20 have citizens, you know, I--I know there are people
21 behind me. I know there are people across the
22 street. I know there are people at the end of the
23 block. Um. So we can't give him all the room in
24 the world. And we need to make sure that we--we
25 maintain some sort of control. Um. Michael issued

1 the--the command to lay on the ground or drop the
2 knife, uh, you know, which--whichever it was. And
3 he opened his hand. And I [UNINTELLIGIBLE] okay.
4 Step one. Now we're gonna--you know, next step in
5 the plan is--we'll talk him away from the knife.
6 Then we'll recover the knife and we can--we can
7 take care of this. And the--the--the problem was,
8 is that he--then again, grabbed the knife. And
9 that's--you know, that's when I went, "Oh, shit,
10 what's he doing? Why is he grabbing the knife
11 again?" Um. And that's when--uh, that's when
12 Officer Mellone discharged the ERIW. Um, I--I
13 can't remember if he gave one more command and then
14 discharged it but it was--it was soon after he
15 grabbed the--the knife again. So he--you know, the
16 subject really took away any opportunity before any
17 kind of--an--any kind of--uh, time and distance.
18 Uh, it--there was no more. Um.

19 SGT CRUDO: Um. And from what you
20 described, um, you--your intent was get him
21 disarmed.

22 SGT STEGER: Yes.

23 SGT CRUDO: Is that--would that have been
24 after that then your opportunity to establish
25 rapport and some kind of dialogue?

1 SGT STEGER: Yes.

2 SGT CRUDO: Did I hear you--okay.

3 SGT STEGER: Yes.

4 SGT CRUDO: So--

5 ATTY BURRELL: Can--can I--I--I think just for
6 clarification, I--there was one point where when he
7 said that huge knife sitting next to him, and I
8 just want to clarify that it was in his hand or--

9 SGT STEGER: Yes. It was in his hand. It
10 was in his grasp. I mean, he--he--he--you know,
11 and the thing was, the thing that made--that
12 frightened me was that he had let go of the--the
13 knife and I'm thinking, okay, here it goes.
14 Here's--this is-- everything is going as it should.
15 Um. And then he grabbed the knife again. And when
16 he grabbed the knife again, that's when I became
17 worried. That's--that's when I was--praying this--
18 what was gonna happen.

19 SGT CRUDO: Can--can you elaborate on that
20 a little bit? I mean, what--what did that mean to
21 you?

22 SGT STEGER: That mean--that meant to me
23 that he--he had some--some other idea of how this
24 encounter was gonna go. That's what it meant to
25 me. And I don't know specifically what his intent

1 was but, uh, I--I--you know. My--my--
2 interpretation of his intent was that he was gonna
3 use this knife to hurt somebody. Um. Yeah.

4 ATTY BURRELL: Can I ask, do--do you recall
5 it--um--his facial expression when he grabbed the
6 knife again at all or do you--

7 SGT STEGER: He--

8 ATTY BURRELL: Anything that stood out?

9 SGT STEGER: I, uh, no. Um. He--I mean, I
10 was looking mainly at the knife. Um. I remember
11 seeing his face some but I don't remember there
12 being much facial expression. Um. Even after
13 being hit with the ERIW. He did not, um, you know,
14 he had an opportunity to drop the knife. And just--
15 -be done with it. He had an opportunity to walk
16 away from us. I mean, really. Um. We didn't have
17 him closed in. He had an oppor--he could have
18 kept--he could have got up and walked straight and
19 would have been across Shotwell and we would have
20 just--been following him. Um. Yeah. That's--

21 SGT CRUDO: Did--did you see--Officer, uh,
22 Perez--Estevan Perez--did you see, uh, whether--
23 notice whether or not he was present as you--

24 SGT STEGER: I--I did--no.

25 SGT CRUDO: He was coming.

1 SGT STEGER: I wasn't aware of his presence
2 until after the shooting.
3 SGT CRUDO: Okay. So you--you didn't hear
4 him.
5 SGT STEGER: No.
6 SGT CRUDO: Okay.
7 SGT STEGER: I didn't--
8 SGT CRUDO: Okay.
9 SGT STEGER: Hell, I didn't hear myself.
10 SGT CRUDO: [LAUGH]
11 SGT STEGER: So.
12 SGT CRUDO: Fair enough. Um. And then
13 what we're talking about, what--the issue with the
14 knife and--and you said that the--the suspect, um,
15 had released his grip on the knife. And I--if I--
16 if I've heard you correctly, you're--you're--he's
17 putting his knife down and he opens up his hand.
18 He no longer has the grip. But he's maintaining
19 some contact with it.
20 SGT STEGER: Yes.
21 SGT CRUDO: And then--now he closed his
22 hand on the knife.
23 SGT STEGER: Yes.
24 SGT CRUDO: Was there--in between, was--is
25 there any kind of movement where an--you--you--you

1 said that there was, uh, that Officer Mellone may
2 have given another warning. Um, prior to
3 deploying--your firing the ERIW.

4 SGT STEGER: Yeah.

5 SGT CRUDO: But was there any--anything
6 else? Was there--was there any, hey, you know, um--
7 -any movement or anything that--that--that might
8 have precipitated that or--or--or been--

9 SGT STEGER: No, he--

10 SGT CRUDO: Reaction to that or--

11 SGT STEGER: He, um--uh, uh, I mean--so--
12 Officer Mellone issues the initial commands. Um.
13 And the guy is sitting there. He opens his hands.
14 He grasps, again, and I--you know, he--he grasped
15 but with some intent. And--I think Officer
16 Mellone, uh, I can't remember if he issued another
17 command. But it was almost immediately after that,
18 that he shot him, um, in the arm. Is what I--I
19 kind of remember seeing the bean bag actually
20 strike him in the arm.

21 SGT CRUDO: Did you happen to notice, and--
22 and--cor--you--you may not have and I understand
23 that--that your--your focus really now is--I don't
24 want to say tunneling but it's--it's very--very--

25 SGT STEGER: Yeah.

1 SGT CRUDO: Dialed in on--on the threat,
2 which is the knife.

3 SGT STEGER: Yes.

4 SGT CRUDO: Um. Did you notice where,
5 generally, or at whom the suspect at this point was
6 kind of looking?

7 SGT STEGER: He, um--I think he kind of
8 glanced over at us. So he's at this point so--as
9 soon as the first one is deployed, I mean, as far
10 as the--as--as soon as the--first discharge of the
11 ERIW, um, he starts to get up. And--I remember him
12 looking over at us at some point. So he kind of
13 looks over at us. But he's kind of walking, um,
14 large steps, kind of at an angle. Uh, kind of
15 looking and Officer Mellone deploys again, or
16 sorry, discharges the ERIW again, um, uh, but I
17 don't re--I don't remember him looking directly at
18 us until he--came rushing in.

19 SGT CRUDO: And you--you touch on this in
20 your--in your Homicide interview a little bit,
21 here, could I--so--when--going back to--before the
22 ERIW is fired.

23 SGT STEGER: Yes.

24 SGT CRUDO: And at--you know, you--he
25 releases the knife so--did the suspect--do you

1 believe the suspect comprehended the commands
2 Officer Mellone was giving him?

3 SGT STEGER: That was--that's what I, uh,
4 believed at the time. And--and--uh, I mean--if
5 you're holding a large knife and you have two
6 officers yelling at you, even if you don't--speak
7 the language, it's not--you know. It's reasonable
8 to go, okay, first thing I should do is not pick up
9 the knife. Um. Whether you understand that or
10 not, uh, I think that's--that's reasonable. Um.

11 SGT CRUDO: And then--it sounds like from
12 the Homicide interview, it was pretty quick, um,
13 his release of the knife was pretty quick. I mean,
14 how long did he keep his hand open?

15 SGT STEGER: Uh, he--so--he was holding it--
16 he--he opened and then he just--so--I mean--you
17 know--

18 SGT CRUDO: Hm--

19 SGT STEGER: A second, two seconds? It was
20 very--it was--it wasn't real long but it was--it
21 was long enough for me to think, okay--

22 SGT CRUDO: We're moving to the next--

23 SGT STEGER: Yeah, we're--we're--we're gone--
24 the plan is going as it should. This--this is the
25 same encounter I've had a million times in the

1 Mission with somebody with a knife. And it's going
2 as it should.

3 SGT CRUDO: So--rather than try and say
4 specifically a second or two or--or--something
5 measuring a few seconds rather than--

6 SGT STEGER: Yeah. It wasn't--15 minutes.
7 It wasn't--a half an hour. It was--

8 SGT CRUDO: It wasn't 30 seconds.

9 SGT STEGER: It wasn't 30 seconds.

10 SGT CRUDO: Okay. And--so you--you touched
11 on this. He's still sitting when he--when he takes
12 the knife.

13 SGT STEGER: Yes.

14 SGT CRUDO: Um. And then you guys are at
15 your 15-foot distance at this point. Is that
16 correct?

17 SGT STEGER: Yes, that's--

18 SGT CRUDO: Okay.

19 SGT STEGER: That's my--

20 SGT CRUDO: And--and--

21 SGT STEGER: Estimate, I--

22 SGT CRUDO: Now--

23 SGT STEGER: I--you know. That's--I--don't
24 lock me into it.

25 SGT CRUDO: Okay.

1 SGT STEGER: That distance because I--like I
2 said, I haven't actually gone out and walked it
3 and--and really--um--
4 SGT CRUDO: But--but you guys have moved--
5 he's sitting a--in the area of the roll-up doors.
6 SGT STEGER: Yeah.
7 SGT CRUDO: You guys--this--this is the--
8 parked truck where he eventually goes down--
9 SGT STEGER: Okay.
10 SGT CRUDO: Right? So--you guys had moved
11 beyond the trees.
12 SGT STEGER: Okay.
13 SGT CRUDO: Is that correct? Were you
14 still in the area--
15 SGT STEGER: I--I--
16 SGT CRUDO: Of the--
17 SGT STEGER: Yeah.
18 SGT CRUDO: Of the last tree.
19 SGT STEGER: Yeah, no, it's--it's--you know,
20 I had--I had--I--I wanna say, we had--we were up
21 here and then--
22 SGT CRUDO: You--you're pointing at that
23 tree furthest, uh--
24 SGT STEGER: Yeah.
25 SGT CRUDO: South.

1 SGT STEGER: Sorry.

2 SGT CRUDO: It's okay.

3 SGT STEGER: Tree further south. And then,
4 you know, I--I--back-pedaled.

5 SGT CRUDO: From there.

6 SGT STEGER: Form there.

7 SGT CRUDO: Okay.

8 SGT STEGER: Um.

9 SGT CRUDO: So when you get to your
10 retreat, that's approximately the area you were
11 retreating from.

12 SGT STEGER: Yes.

13 SGT CRUDO: Okay. Um.

14 SGT STEGER: I still don't remember the
15 trees there but--[LAUGH] that's just my--

16 SGT CRUDO: It--the--the--it's amazing that
17 the things that happen--

18 SGT STEGER: Yes.

19 SGT CRUDO: Physiologically. Um. So.
20 When--when you guys initially--stop, you close in.
21 You stop. You're giving commands before the ERIW's
22 fired when he opens his hand, is that--

23 SGT STEGER: Yes.

24 SGT CRUDO: Okay. You're now approximately
25 alongside or the same distance--I know you've

1 triangulated on the--on the suspect

2 [UNINTELLIGIBLE]--

3 SGT STEGER: Yeah.

4 SGT CRUDO: You relative to Mellone. Are
5 you the same distance, you know, um, south--

6 SGT STEGER: Yeah.

7 SGT CRUDO: Of--okay--

8 SGT STEGER: I mean, we're--

9 SGT CRUDO: So you're alongside on the--

10 SGT STEGER: We're alongside of each other.

11 SGT CRUDO: Sidewalk.

12 SGT STEGER: Yes.

13 SGT CRUDO: Okay. And about, uh, how far
14 apart were you, do you think?

15 SGT STEGER: Hm. Those are pretty wide
16 sidewalks but, um--

17 SGT CRUDO: Rather than say distance, I
18 mean--were you kind of towards the curbside?

19 SGT STEGER: Yeah, I was to the curbside and
20 he was to the building line.

21 SGT CRUDO: Okay. So--almost maxed out on
22 that space?

23 SGT STEGER: Um. Yeah, pretty--pretty close
24 to--to maxed out. I mean, we each had a little bit
25 of room, um, to the--to, you know, him to his left,

1 if I remember correctly, and me definitely to my
2 right. I--I probably had, um, another foot or two-
3 -

4 SGT CRUDO: Okay.

5 SGT STEGER: Before I would have been off
6 the pavement or so.

7 SGT CRUDO: Okay.

8 SGT STEGER: So.

9 SGT CRUDO: Um. And could you see Officer
10 Mellone peripherally? Were you able to see him,
11 were you--okay.

12 SGT STEGER: Yes.

13 SGT CRUDO: All right. So he's alongside
14 you and then--so he's--you're probably--if I--if
15 I'm hearing you correctly, just mathematically
16 thinking about this. You're probably a little
17 further from the suspect because he's closer to the
18 building.

19 SGT STEGER: Yes. Yeah.

20 SGT CRUDO: Okay.

21 SGT STEGER: If you look at the--you know,
22 the triangle that--

23 SGT CRUDO: The triangle--

24 SGT STEGER: Yeah.

25 SGT CRUDO: Exactly--

1 SGT STEGER: It's--I'm gonna be a little bit
2 further away.

3 SGT CRUDO: Okay. And--and, again, at this
4 time as--as he [releases] his knife, you've stopped
5 moving, or not--

6 SGT STEGER: Yeah.

7 SGT CRUDO: Okay. You've held. Okay. And
8 that's both of you so--so Officer Mellone didn't
9 move forward.

10 SGT STEGER: Yeah, no--

11 SGT CRUDO: Yeah.

12 SGT STEGER: We both were--we had stopped.

13 SGT CRUDO: Okay. And then--and then you
14 said the suspect closes his hand around the knife
15 and he's still sitting.

16 SGT STEGER: Yes.

17 SGT CRUDO: Was that correct? And you're--
18 you're at your approximately 15 feet distance. 15
19 foot distance.

20 SGT STEGER: Yes.

21 SGT CRUDO: Okay. Or this distance near--
22 let's--let's say near the tree, near the--near the
23 front of the truck somewhere in that area'

24 SGT STEGER: Yes.

25 SGT CRUDO: Okay. Um. And--you talked

1 about the--the threat that you felt so when he
2 grabbed the knife. Now you're--now you're
3 starting--they--the--the, uh, threat is that--he is
4 demonstrating that he has some other--

5 SGT STEGER: Has some other--

6 SGT CRUDO: Intention.

7 SGT STEGER: Yeah. And I don't know what
8 that is. And of course my theory is, is that he
9 intends to, you know, either hurt myself or hurt
10 Officer Mellone or, you know, hurt somebody else on
11 the street.

12 SGT CRUDO: Um. Was there any
13 communication between you and Officer Mellone when
14 he grabbed--

15 SGT STEGER: No.

16 SGT CRUDO: The knife. Call it out or
17 anything?

18 SGT STEGER: No. He, um--I--I believe
19 Officer Mellone started, uh, continue--he would
20 continued--he definitely continued to yell commands
21 and he fired and I was aware that he fired. And--
22 which--I thought was totally reasonable in the set
23 of circumstances. You know, I don't--I don't know
24 what he was thinking. I don't--I can't get inside
25 his head. But it--to me, that was reasonable

1 course of action at that moment and then, um, and
2 then the guy--uh, starts to get up.

3 SGT CRUDO: So as a reasonable officer at
4 the scene at that time, under those circumstances,
5 you felt that the deployment--uh, the firing of the
6 ERIW--

7 SGT STEGER: Firing--yeah.

8 SGT CRUDO: Was reasonable.

9 SGT STEGER: Oh, definitely.

10 SGT CRUDO: Okay. Um. And I wanted--just
11 kind of addressing--I think you guys--you and, uh,
12 Officer Mellone talked about this, uh, in some of
13 the debriefing while you were reviewing policy but
14 15-234--

15 SGT STEGER: Extended Range Impact Weapon,
16 yes.

17 SGT CRUDO: Which is 9. Um. So I just
18 want to go over a couple things that are in--in
19 that Bulletin. Um, do you know what the range is
20 for the ERIW? The range for usage?

21 SGT STEGER: I did not off the top of my
22 head. I know it becomes ineffective after a
23 certain range and it--and it can--you have a
24 greater chance of death if it's too close. Um. I
25 know that there is--um--that I believe it's between

1 20 and 25 feet is--you know, optimum. Um. I, um,
2 and that is--that is a guess. I'm not gonna--

3 SGT CRUDO: Okay.

4 SGT STEGER: Try and say that that's
5 definitely what it is.

6 SGT CRUDO: And then there's--there's a
7 section--if you'd like, it here. You can--you can
8 open it up, flip to it--with it--but the section,
9 um, Procedural Precautions explains safe and proper
10 loading procedures for this force option. Were you
11 present when that weapon was loaded?

12 SGT STEGER: Yes. Uh, was I present when I
13 was loaded? No. I was not present when it was
14 loaded.

15 SGT CRUDO: Okay, and--and Officer Mellone,
16 um, had been working with a partner that day. He
17 was 11 Adam, correct?

18 SGT STEGER: Yes.

19 SGT CRUDO: But at that--at the time of
20 this incident, he was a SAM or Single Officer Unit.

21 SGT STEGER: Yes.

22 SGT CRUDO: Okay. Because his recruit was
23 at Mission Station?

24 SGT STEGER: At Mission Station.

25 SGT CRUDO: Okay. And you were the

1 supervisor. You were--you were aware of that.

2 SGT STEGER: Yes.

3 SGT CRUDO: At the time. And there has

4 been a subsequent Bulletin that speaks about

5 deployment of ERIW's and--in--in all of the cars

6 and--

7 SGT STEGER: Yes.

8 SGT CRUDO: Whatnot. Okay. Um. So you

9 don't know--you don't know officer Mellone--uh,

10 Mellone would be able to speak to--

11 SGT STEGER: Yes.

12 SGT CRUDO: The loading with respect to--

13 SGT STEGER: Yeah, I don't--

14 SGT CRUDO: [UNINTELLIGIBLE] because you

15 weren't--you were there.

16 SGT STEGER: Yeah, I don't--I wasn't there.

17 Yeah.

18 SGT CRUDO: Okay. Um. And then the pre-

19 deployment procedures, uh, outlines the specific

20 steps that were taken prior to deploying of the

21 ERIW. Um. There's a bullet that's Upon Arrival

22 and it says "an officer must obtain--the ERIW

23 Officer must obtain a quick briefing to determine

24 if the ERIW is warranted." Um. And to--and then

25 it also specifies that those--"to formulate a plan

1 with your cover officer and ground arrest teams."

2 SGT STEGER: Yes.

3 SGT CRUDO: So--um--you mentioned that you
4 pointed out the suspect when you arrived to Officer
5 Mellone. Um. Was that a debriefing or--or--

6 SGT STEGER: That was about as close as we
7 were gonna get. There was no--no ti--everything
8 moved really quickly from that point on. Um. We
9 walked up, uh--like I said, we closed the distance
10 to about 15 feet. Um. Officer Mellone, uh, gave
11 the initial command and then everything just unho--
12 unfolded very quickly. There was no--because of
13 the concentration, because of the small space, uh,
14 there was no real time to sit and have a pow-wow on
15 how we were gonna do this. Um. I was relying upon
16 his experience and reasonableness which I have--
17 complete confidence in. And I think he was relying
18 on mine.

19 SGT CRUDO: Okay, so--uh, there was no, uh,
20 you weren't--you guys were not as you've
21 articulated here, you weren't able to form--
22 formulate as it says in the order--

23 SGT STEGER: Yeah.

24 SGT CRUDO: Uh, occur--a plan with the
25 cover officer. You didn't have a ground arrest--I

1 guess you guys were in effect your ground
2 arresting--

3 SGT STEGER: We were everything.

4 SGT CRUDO: Okay. Um. And as--as he's
5 moving in toward the suspect or as you--you were
6 moving in with him towards the suspect, is there
7 any consideration, um, or order for, um, to Officer
8 Mellone to back away and why or why not?

9 SGT STEGER: I'm--I'm sorry. Can you repeat
10 that?

11 SGT CRUDO: Yeah, was there--was there--as
12 he's--as he's moving forward on the--with the
13 sitting--yeah, the sitting suspect a static
14 situation?

15 SGT STEGER: Yes.

16 SGT CRUDO: Okay. So. Officer Mellone's
17 moving forward, you're moving with him. You are--
18 you--you come to the realiz--you know, quick
19 realization but, okay, I'm lethal cover 'cause
20 there's nobody else here.

21 SGT STEGER: Yeah.

22 SGT CRUDO: Um. Was there any thought at--
23 in that moment, you know, maybe we should pull back
24 for--for a moment or hold here or--

25 SGT STEGER: Well, we did--

1 SGT CRUDO: [UNINTELLIGIBLE]
2 SGT STEGER: We did hold. We--we--he and I,
3 yeah, we closed to 15 feet but we wanted to make
4 sure that the--this guy could hear us. But we
5 stopped at that--that time. I mean, to give him
6 any more space, uh, I feel would have, um--it--it
7 could have put us at more risk but it--it--I felt
8 it would have--it would have put the general public
9 at more risk. Um, we just--we didn't have that
10 space to move. Um, there were people behind us.
11 There was--so 15 feet, he could hear us. That
12 seemed like--the reasonable, uh, amount of space
13 for that--that--that environment. Um. You know,
14 the--the--you know, I know all the commands that
15 are supposed to go with the ERIW and everything.
16 And there just was no--there no time involved in
17 this. Um, there was no option for the--for time.
18 We didn't--we didn't have--we didn't have that
19 luxury. Uh.
20 SGT CRUDO: [MUTTERING] Want to get these.
21 Just answer this question. Did--sorry, did you--
22 did you--did you hear--do you recall distinctly or
23 specifically hearing a warning as opposed to a
24 command at any time?
25 SGT STEGER: No.

1 SGT CRUDO: Okay.

2 SGT STEGER: I did not.

3 SGT CRUDO: Was it feasible?

4 SGT STEGER: Uh, was it feasible--not--no.

5 Um. And based on--uh, the things was, is--it--

6 there--there was the initial command and when he

7 re-grabbed the knife, there was no time for a

8 warning. A--at that moment, you know, he showed

9 some intention.

10 SGT CRUDO: And--and is that the point

11 where he re-grabs the knife, that the ERIW is

12 fired?

13 SGT STEGER: Yes.

14 SGT CRUDO: The--the--

15 SGT STEGER: Yes.

16 SGT CRUDO: Less lethal option is--

17 SGT STEGER: Yes.

18 SGT CRUDO: Is [UNINTELLIGIBLE].

19 SGT STEGER: And I can't remember if he--if-

20 -if--Officer Mellone said it one more time but I--I

21 believe that--that he fired almost immediately

22 after the guy grabbed the knife again.

23 SGT CRUDO: And then with regards to that

24 firing of the ERIW, um, I believe I heard it

25 correctly, correct me if I'm wrong. And in the

1 Homicide interview I think you said that you were
2 aware of basically two short sequences of fire or--
3 or--excuse me. Two ERIW rounds fired at the
4 suspect.

5 SGT STEGER: Yes.

6 SGT CRUDO: Initially.

7 SGT STEGER: Initially, those are the--I--I
8 remember the initial one that hit him in the arm.
9 I remember Officer Mellone, um, chambering another
10 round. And I remember there being a delay. Um.
11 It wasn't--it wasn't a lengthy delay. Um, but
12 there was a delay in which, you know, the subject
13 could have easily put his hands up and there would
14 have been no--no more action. Um.

15 SGT CRUDO: So he was given a--would--would
16 you say he had an opportunity to submit?

17 SGT STEGER: Yeah, oh, yeah.

18 SGT CRUDO: Um, and--you said in the arm--
19 do you--he's got his back to you and based on what
20 you've described to me, was it his right arm?

21 SGT STEGER: Yeah, he does--he doesn't have
22 his back to me.

23 SGT CRUDO: Oh, excuse me. I mean, his
24 back to the wall. Your approaching--

25 SGT STEGER: The back to the wall. Yes.

1 SGT CRUDO: You--you--so you would be
2 approaching from his right--
3 SGT STEGER: Yes.
4 SGT CRUDO: Like profile, right side. So
5 that would be the near side, the closest side to
6 Officer Mellone, I would imagine. If he's sitting
7 there, fired--it would be the right arm.
8 SGT STEGER: Yes.
9 SGT CRUDO: Okay. Um. And then you said--
10 you said that--that, uh--and this--that--that
11 position when--when he re-grabbed it, other than
12 where the knife was and his grip on the knife, you
13 know, which--you've described changing, you know,
14 through the course of this thing, um, whereas this
15 [event floated], you know, opened and grabbed it
16 again, um, was he essentially in the same--he--he
17 was essentially in the same position, same posture,
18 as when you first saw him? Seated over in the
19 approximate area of the roll-up doors--back to the
20 roll--
21 SGT STEGER: Yeah, but his--pretty much
22 after he re--re-grabbed the knife and the ERI was
23 discharged, he got up. That's--so it was now he
24 was starting getting up.
25 SGT CRUDO: With that first ERIW strike,

1 he's [UNINTELLIGIBLE]--

2 SGT STEGER: He--he's getting up.

3 SGT CRUDO: Okay. You're at your 15--your

4 15 feet. Is that he closest you guys got? Or were

5 you--were you--when you came in there and--

6 SGT STEGER: Yeah. That's--uh, not--

7 SGT CRUDO: [UNINTELLIGIBLE]

8 SGT STEGER: We didn't--we didn't get any

9 closer. We--we stood our ground there and then

10 he's the one who moved.

11 SGT CRUDO: And then you're--you're--at

12 this point when he fires the ERIW, you're still

13 that roughly sidewalk distance. You each have a

14 buffer--you--you for sure. You're aware that you

15 had a buffer to your right.

16 SGT STEGER: Yeah.

17 SGT CRUDO: He may have, you believe, had a

18 buffer--

19 SGT STEGER: Yeah.

20 SGT CRUDO: To his left. You guys have the

21 better part of the sidewalk separating you.

22 SGT STEGER: Yeah--uh--yeah. Yeah, I mean

23 it's--it's, uh, yeah, the better part of the

24 sidewalk. I think that's--

25 SGT CRUDO: Fair?

1 SGT STEGER: Fair.

2 SGT CRUDO: Okay. And then you were just

3 talking about that--that--you said--in your

4 Homicide interview--he starts getting up almost

5 immediately after Officer Mellone starts to fire.

6 So--you talked about the two rounds. Do you

7 remember--did Officer Mellone--did they register

8 that him giving any commands in between round one

9 and round two? The--the first bean bag and the

10 second bean bag, you talked about a little pause

11 where you, there's Officer Mellone, but Officer

12 Perez maybe--when you--didn't hear Officer Perez--

13 SGT STEGER: Didn't hear him. Yeah.

14 SGT CRUDO: Um, and you don't remember

15 yourself giving any commands so do--do you remember

16 if Officer Mellone--

17 SGT STEGER: I--I'm almost positive--

18 SGT CRUDO: Giving commands at that point?

19 SGT STEGER: But I say "almost" because it's

20 all--the commands--I was conscious of Officer

21 Mellone giving commands to lay down, drop it, like

22 throughout the--the--the--I mean--I heard him over

23 myself. Um. I remember him--giving the commands.

24 SGT CRUDO: And--how many total bean bag

25 rounds were fired? Do you know?

1 SGT STEGER: Uh, no. I'm, uh, I'm only
2 aware of the two. Well, uh, and--let me--let me
3 qualify that in that I--at the time I was only
4 aware of the two.

5 SGT CRUDO: And that's--

6 SGT STEGER: Uh, yeah--

7 SGT CRUDO: This goes back to what we were
8 talking about at the beginning--

9 SGT STEGER: Yeah.

10 SGT CRUDO: Sergeant, so--you know if you--
11 just based on what you remember perceiving at that
12 time and I know that you've--

13 SGT STEGER: [UNINTELLIGIBLE]

14 SGT CRUDO: Thank you, because I know that
15 you've probably learned or understood some things
16 and so that may be speculation by other folks but--

17 SGT STEGER: Yeah, and--this is what I--I--
18 that's what I remember. I--I only recall
19 specifically the--the two rounds being fired.

20 SGT CRUDO: Okay. And--and then, uh, uh,
21 and--I don't want to beat a dead horse but I--I
22 think you made this clear. So Officer Mellone's
23 position as the suspect's getting on his feet, you
24 guys are--alongside each other, separated by a
25 sidewalk 15 feet away. But he's getting up on his

1 feet now. Um. And--you talked about two rounds
2 hitting--two bean bag rounds hitting the suspect.
3 Um.
4 SGT STEGER: Well, I had--
5 SGT CRUDO: All right, excuse me--
6 SGT STEGER: I--two beans fired--
7 SGT CRUDO: Two rounds being fired. Thank
8 you.
9 SGT STEGER: I remember--I remember seeing
10 the one hit him in the arm.
11 SGT CRUDO: Okay.
12 SGT STEGER: And then the other one I don't--
13 -I don't recall where or even if the--the second
14 one hit him.
15 SGT CRUDO: Um, did the bean bag rounds,
16 and actually for that matter the ERIW, 'cause come--
17 -sometimes merely racking that weapon can be pretty
18 powerful, um, encouragement for people--
19 SGT STEGER: Yes.
20 SGT CRUDO: To cooperate. Um. Did the
21 bean bag rounds or the ERIW on scene, did that have
22 any effect on the suspect?
23 SGT STEGER: No.
24 SGT CRUDO: So--the suspect is now on his
25 feet and if I heard you correctly in your Homicide

1 interview, and I think you said again in here, his
2 initial path appeared--or trajectory or--

3 SGT STEGER: Yes.

4 SGT CRUDO: Appeared to be kind of a
5 northwest.

6 SGT STEGER: Yeah, so--um, if we--if we look
7 at, um, what is this, uh, [drawing] number 2, he
8 kind of came all--almost like--kind of hooking
9 towards the back end of this pick-up truck that's
10 closer to 19th at the bottom of the page. Um. And
11 then--and then what he did, is he just immediately
12 came in at me. Directly at me.

13 SGT CRUDO: How was he holding the knife at
14 this time?

15 SGT STEGER: Uh, he was holding it off to
16 his side. So like a slash--like if you were to use
17 a machete to--to--to cut something down. So he was
18 holding it up like he was getting ready to--to
19 slash, um, with it.

20 SGT CRUDO: Okay, and just because--again,
21 we're on audio, not be video--

22 SGT STEGER: Yes. Not video.

23 SGT CRUDO: You're holding your hand and
24 about a 90 degree angle. Your--your first is
25 shoulder high. You've got your hand in a--in a--in

1 a fist. And is a--the--the blade of the knife
2 would be up toward you thumb?

3 SGT STEGER: Yeah. And it's gonna be--

4 SGT CRUDO: So it's essentially the same--

5 SGT STEGER: It's--

6 SGT CRUDO: The same grip he had before--

7 SGT STEGER: Only now he--

8 SGT CRUDO: Now it's a--it's a side-
9 slashing type of motion?

10 SGT STEGER: Type thing. Yeah.

11 SGT CRUDO: And think you--you mentioned
12 that he had like--uh--uh, a stance with the
13 shoulder forward or--

14 SGT STEGER: Yeah, I mean, he was kind of--
15 like he had his body kind of--uh--

16 SGT CRUDO: [UNINTELLIGIBLE]

17 SGT STEGER: What's that? Um. With a--I--
18 if this--gosh, I wish I played baseball. You know,
19 when you're getting ready to swing a baseball bat
20 and they tell you to--

21 SGT CRUDO: Load up?

22 SGT STEGER: Load up. That's--he was kind
23 of loaded up.

24 SGT CRUDO: Okay.

25 SGT STEGER: Is how he looked. Like he's--

1 uh, this is it. I'm--I'm taking somebody out.

2 SGT CRUDO: And when he turned and

3 advances, you describe the knife--you describe him

4 winding up and you describe this slashing motion.

5 Were you now retreating? Were you retreating at

6 this time?

7 SGT STEGER: Yes.

8 SGT CRUDO: Do--okay. You recall that?

9 SGT STEGER: Yeah.

10 SGT CRUDO: Okay.

11 SGT STEGER: Well, I--I recall--uh, I recall

12 this time taking one or two steps back. After

13 reviewing the video, I took several steps back. I

14 had--what I recall is, you know, I--I definitely

15 backed up once or twice and--um--yeah.

16 SGT CRUDO: Um. So you--you've drawn--and

17 you've drawn this little--this is number two.

18 You've drawn this little path that the--approximate

19 path that he took.

20 SGT STEGER: Yeah.

21 SGT CRUDO: So getting towards the back of

22 the truck and, um, it works from--so his path would

23 be from south to north. Um. As he's turning away

24 from you, as you begin backing up, how far away are

25 we talking about?

1 SGT STEGER: Uh, he didn't turn away from
2 me.
3 SGT CRUDO: Or--[UNINTELLIGIBLE]--
4 SGT STEGER: Turned toward--yeah, turned
5 towards me.
6 SGT CRUDO: I'm sorry. Turned towards you.
7 I--thank you--[UNINTELLIGIBLE]
8 SGT STEGER: [UNINTELLIGIBLE]
9 SGT CRUDO: Yeah.
10 SGT STEGER: Um, and then I'm sorry, you
11 were--so you--
12 SGT CRUDO: Just--just what is--what is the
13 distance--what distance are we talking about
14 'cause--'cause--
15 SGT STEGER: Uh, he closed the distance
16 really quickly. And--and it was right around--um--
17 I mean, he was--he was moving fast at this point.
18 SGT CRUDO: And--as you recall--were you--
19 when he's moving northwest, as though to cross
20 Shotwell--
21 SGT STEGER: Uh, yeah.
22 SGT CRUDO: Are you thinking he's just
23 gonna leave? What are you thinking at that point?
24 SGT STEGER: I--that's what I'm--I--I'm
25 hoping. [LAUGH] That's what, he's gonna leave.

1 That's--I'm thinking, okay, you know, okay, we're
2 gonna--we're gonna be walking out in the street.
3 We may be walking with this guy. May turn into a
4 foot chase. And then--

5 SGT CRUDO: Is he holding the knife in that
6 slashing, wound-up motion--

7 SGT STEGER: He's just--he's just kind of--

8 SGT CRUDO: At that point or is when he
9 turns?

10 SGT STEGER: He's--he's kind of--I think
11 he's kind of got it just--to his side. Like
12 there's no real--um, yeah, I kind of remember it
13 just kind of being not necessarily--

14 SGT CRUDO: Lowered--

15 SGT STEGER: Yeah, kind of--kind of at a
16 lowered, um, a lowered position. And then--

17 SGT CRUDO: And you're holding--you're
18 holding your hand--I mean, just--again.

19 SGT STEGER: Yeah.

20 SGT CRUDO: You're holding your hand down
21 and out a little bit away from your hip but low--
22 your hand lowered. So then he--he kind of loads it
23 up, as you describe, and turns towards you. That's
24 kind of as a single motion?

25 SGT STEGER: Yeah.

1 SGT CRUDO: Okay. Um. So--well--le--going
2 back to number 2, lookin' at that, so--we've talked
3 about you being kind of to the south end of this
4 southern tree--

5 SGT STEGER: Yeah.

6 SGT CRUDO: That's on this diagram. Are
7 you still approximately there so if it's--are we
8 talking about like he's roughly a car-length
9 distance from you as he turns, or have you
10 retreated--

11 SGT STEGER: I--as soon as he started coming
12 towards me, I believe I started to retreat. Um.
13 Yeah, I mean, it--it pretty much as soon as he
14 started coming towards me, I--I believe I started
15 to retreat.

16 SGT CRUDO: Was he moving faster than you
17 can back up?

18 SGT STEGER: Oh, yeah.

19 SGT CRUDO: Were you aware--aware where
20 Officer Mellone was at this time?

21 SGT STEGER: No.

22 SGT CRUDO: Could you just--okay. Your
23 focus was what--

24 SGT STEGER: I mean, I, yeah, I mean I knew
25 he was present but I don't--I no longer saw him in

1 my--my peripheral. I didn't--I have no idea what
2 actions at the time I took--I had no idea what
3 actions he had taken.

4 SGT CRUDO: Um. Okay. And then--and then
5 in your Homicide interview, you said that he closed
6 the length to 10 feet and you fired at him.

7 SGT STEGER: Yes.

8 SGT CRUDO: Okay. Um. I've--understand
9 kind of--this--I have to go through these--these
10 questions but--we have a number of force options
11 that the Department authorizes and we kind of want
12 to walk through them with you and can you elaborate
13 on whether the force options were feasible at that
14 moment? Other force options. Verbal commands.
15 Feasible?

16 SGT STEGER: No.

17 SGT CRUDO: Why not?

18 SGT STEGER: Uh, he had already started
19 moving. He was already--his intent. And we were
20 giving him verbal commands. He was flat-out
21 ignoring them or--uh, you know, whatever, but they
22 weren't--they were ineffective.

23 SGT CRUDO: Physical controls?

24 SGT STEGER: No.

25 SGT CRUDO: Why not?

1 SGT STEGER: Uh, 'cause he had a 13-inch
2 knife.
3 SGT CRUDO: OC?
4 SGT STEGER: No.
5 SGT CRUDO: Why not?
6 SGT STEGER: Uh, not enough distance. He
7 had a 13-inch knife. And he was charging me.
8 SGT CRUDO: Was there any kind of issue
9 with regards to some of these other options as
10 well, uh, are you required as a cover officer for
11 somebody deploying lethal, uh, uh, less lethal
12 ERIW, are you required to have your firearm?
13 SGT STEGER: Yes.
14 SGT CRUDO: Okay. Um. Are there
15 transition issues?
16 SGT STEGER: Uh, yeah. [LAUGH]
17 SGT CRUDO: Okay.
18 SGT STEGER: Um, uh, you know, I have to
19 maintain lethal cover but--you know, if this guy
20 decides to try and kill one of us which--he did.
21 And that's--uh, I'm assuming that's why the police
22 was written as it was and why we're trained as--as
23 we are.
24 SGT CRUDO: Uh, and so the baton. Was that
25 an option in that moment?

1 SGT STEGER: No.

2 SGT CRUDO: Why not?

3 SGT STEGER: Um, again, he had a 13-inch

4 knife, he was charging me, there was no time. And,

5 um, you know, as you pointed out, the transition,

6 I--I can't transition.

7 SGT CRUDO: Was carotid restraint, uh,

8 feasible option?

9 SGT STEGER: No.

10 SGT CRUDO: So you fired your Department-

11 issued firearm. Why did you fire your weapon?

12 SGT STEGER: Uh, 'cause I thought this guy

13 was gonna kill me. That he was--that he was--um--

14 yeah. He--he looked like he had--uh--that intent.

15 SGT CRUDO: And kind of a dumb question,

16 but can you elaborate on that? What--what did he

17 look like--what did he look like to you?

18 SGT STEGER: He was staring straight at me.

19 Um. Uh. His eyes were very focused. Um. On me.

20 And he was, um, I mean, he was running at me--like-

21 -you know, he was gonna kill me. I--I don't know

22 how more to say it but he was, um--that there was--

23 there was no stopping. He had--he just--his facial

24 expression and his--eyes were just--he looked very

25 intent.

1 SGT CRUDO: You okay?

2 SGT STEGER: Yeah. I'm--I'm all right.

3 SGT CRUDO: Oh. Um. Do you recall if--you

4 or anyone else gave him a warning, prior to firing.

5 SGT STEGER: No. There was no warning.

6 SGT CRUDO: Uh, why not?

7 SGT STEGER: There was no time.

8 SGT CRUDO: And then in your previous

9 interview, you discussed two sequences of fire, if

10 you will. Um. You fired--you said two rounds in

11 the first sequence, that you saw strike--

12 SGT STEGER: The--I'm sorry, the--can re--

13 can you--uh--

14 SGT CRUDO: Yeah, so, listening to your

15 Homicide interview--

16 SGT STEGER: Yeah.

17 SGT CRUDO: I--I--I call them sequences of

18 fire but you said that you fired two rounds?

19 SGT STEGER: Uh, that I fired.

20 SGT CRUDO: You fired two rounds at the

21 suspect?

22 SGT STEGER: I don't know how many rounds.

23 I--I know I fired at least two rounds. But I don't

24 know how many rounds--

25 SGT CRUDO: If--

1 SGT STEGER: That I fired.

2 SGT CRUDO: Okay, um,

3 SGT STEGER: I mean, I--I fired center mass,
4 which were--proving ineffective. It was not
5 slowing him down. He was still advancing. Um.
6 And then I went to the failure drill.

7 SGT CRUDO: Okay.

8 SGT STEGER: And that was--that was a single
9 shot to the head.

10 SGT CRUDO: Okay. And--and you talked
11 about failure drill. Um, I just want to kind of
12 deal with that a little bit.

13 SGT STEGER: Okay.

14 SGT CRUDO: Okay. Have you been trained in
15 failure drill?

16 SGT STEGER: Yes.

17 SGT CRUDO: Okay. Well, um, can you
18 explain it, um, and the appropriate circumstances
19 where we're--we're taught that this is--might be
20 something that we have to utilize?

21 SGT STEGER: It's--yeah, it's--well, we're
22 trying--we're trained out at the range and it is
23 for when, um, we're taught shoot to stop and to
24 shoot center mass and center mass is done so
25 because it's the easiest target to hit. Um. In a-

1 -uh, especially in a situation where you have, uh,
2 the--um, the assailant may be moving. The officer
3 may be moving. You're gonna shoot for the center
4 mass. Um. The failure drill is for--is for when
5 the center mass shots don't work. And that could
6 be due to body armor. That could be to, um, um,
7 um, you know, uh, altered mental status. It could
8 be--due to being under the influence of--of--um--
9 some substance. It can be any--any number of
10 things. But it's for when the--the body shots are
11 not--are proving ineffective. So it's to
12 immediately end the threat.

13 SGT CRUDO: So you utilized the failure
14 drill when you--when you're doing that
15 reassessment.

16 SGT STEGER: Yes.

17 SGT CRUDO: After initially firing.

18 SGT STEGER: Yeah.

19 SGT CRUDO: Um. And--you know, does--why?

20 Why did you--why did you--why did you

21 [UNINTELLIGIBLE]--

22 SGT STEGER: Because he was no stopping.

23 SGT CRUDO: Okay.

24 SGT STEGER: He was--he was--he continued to
25 advance. And he still looked--uh, very intent on--

1 uh--doing whatever it was he was gonna do.

2 SGT CRUDO: Did--did--so--you--your initial

3 two rounds, which I believe you said--or your

4 initial firing--hopefully we'll get--

5 SGT STEGER: Yeah, 'cause I know that--

6 SGT CRUDO: Which I believe you said you--

7 you believe struck him.

8 SGT STEGER: I believe so.

9 SGT CRUDO: Okay.

10 SGT STEGER: Yeah, I'm--I'm confident that

11 it--you know, I--I hit him.

12 SGT CRUDO: Yeah.

13 SGT STEGER: I just don't know.

14 SGT CRUDO: But they did they--

15 SGT STEGER: [UNINTELLIGIBLE]

16 SGT CRUDO: Did they appear to have any

17 effect?

18 SGT STEGER: They--they appeared to have no

19 effect.

20 SGT CRUDO: Okay. So when you utilized the

21 failure drill, was it your intent to kill the

22 suspect?

23 SGT STEGER: No. It was my intent just to--

24 to stop the threat and protect myself.

25 SGT CRUDO: Do you recall your--your--your

1 backdrop when you fired?

2 SGT STEGER: Um.

3 SGT CRUDO: Are you okay?

4 SGT STEGER: Uh, yeah. Yeah, I'm fine. I'm
5 sorry. I just--

6 SGT CRUDO: No.

7 SGT STEGER: Uh, I'm coming back to it. Um.

8 I do remember there was--there were--there was a
9 parked car at some point, um, and beyond that, I
10 just know the intersection back there. There was
11 no, um--I don't remember seeing any--any people or
12 anything like that. So.

13 SGT CRUDO: Um, and you--you talked about,
14 uh, you--you began retreated when he--when the
15 suspect turned toward you?

16 SGT STEGER: Yeah.

17 SGT CRUDO: Um. Did you continue to move
18 as you were firing?

19 SGT STEGER: Yes.

20 SGT CRUDO: And which direction were you
21 moving?

22 SGT STEGER: Uh, I was moving, um, I was
23 moving north in a--in a backwards fashion. So--

24 SGT CRUDO: Self-evident question,
25 probably. Why were you moving?

1 SGT STEGER: To get away from him.

2 SGT CRUDO: Do you recall if you acquired

3 sights or were you point shooting?

4 SGT STEGER: Uh, I was point shooting.

5 SGT CRUDO: I mean, I don't--if--if I

6 acquired sights, it was all training. So I don't--

7 I can't--I mean, I saw "point shooting" because I

8 just don't remember--I don't remember a point is

9 what--

10 SGT CRUDO: You don't remember a point.

11 Okay.

12 SGT STEGER: Yeah.

13 SGT CRUDO: So--possibly likely, you were--

14 you were point shooting.

15 SGT STEGER: Yes.

16 SGT CRUDO: Could have acquired sight

17 [UNINTELLIGIBLE], okay. Two-handed grip?

18 SGT STEGER: Yes.

19 SGT CRUDO: Okay. Um. And we talked

20 about, when you fired your weapon, what was your

21 intent?

22 SGT STEGER: To--stop the assailant.

23 SGT CRUDO: And when did you stop firing?

24 SGT STEGER: When he dropped. When he fell

25 to the ground and--and stopped advancing.

1 SGT CRUDO: And, uh, why did you stop
2 firing?
3 SGT STEGER: Because the threat had ceased.
4 SGT CRUDO: Um. And we're gonna kind of
5 get into sort of what happened immediately after
6 but, um, believe you said that--that he was holding
7 the knife in his--in his right hand when he went
8 down00
9 SGT STEGER: Yeah.
10 SGT CRUDO: He went straight back to his
11 back?
12 SGT STEGER: Yeah, it was almost like he--it
13 was almost like he kind of collapsed and fell back,
14 if that makes sense. Like he was--legs maybe gave
15 out and then he--he fell back.
16 SGT CRUDO: He was still holding the knife
17 in his right hand--
18 SGT STEGER: Yes.
19 SGT CRUDO: And in--up--uh, was his hand
20 up?
21 SGT STEGER: Yeah, kind of--
22 SGT CRUDO: In a flashing motion but on
23 the--
24 SGT STEGER: Yeah, kind of--
25 SGT CRUDO: Uh, prone. So--was he a

1 threat? Was he--uh, you said you saw him
2 breathing. Was he--
3 SGT STEGER: Well, I was his chest still
4 moving--
5 SGT CRUDO: And his breathing holding his
6 [UNINTELLIGIBLE]--
7 SGT STEGER: And he still had the knife in
8 his hand--
9 SGT CRUDO: Was he--
10 SGT STEGER: So he was still a potential
11 threat at that time.
12 SGT CRUDO: All right. So what did you do
13 after you fired and I--I recall you saying that--
14 one of those--kind of odd things that happens in
15 these things where you remember re-holstering. Did
16 you--
17 SGT STEGER: Yeah, I just--
18 SGT CRUDO: [UNINTELLIGIBLE]
19 SGT STEGER: Like, immediately re-holstered
20 which I was--surprised me.
21 SGT CRUDO: Um. So--you know, uh, is--did
22 you re-holster before you approached the suspect to
23 disarm him?
24 SGT STEGER: I did.
25 SGT CRUDO: Okay. Um. Are you at this

1 point aware that, um, Officer Lopez--

2 SGT STEGER: Perez.

3 SGT CRUDO: Perez. Sorry. I'm sorry.

4 Officer Perez was there?

5 SGT STEGER: Uh, I was not aware until I
6 walked up and kind of realized he's--his chest is
7 still moving. He's still breathing. And he still
8 has a knife in his hand and--you know, we can't
9 even get medics in here until we disarm this guy.
10 Um. And so I went up and I just stood on his
11 wrist, um--and then, like, as soon as I did that,
12 um, Perez said, "Sarge, do you want me to get the
13 knife out of his hand?"

14 SGT CRUDO: And then, um, you also said--in
15 this moment, you know, me--like--you were in shock.

16 SGT STEGER: Yeah.

17 SGT CRUDO: When you were--when you were
18 talking about this in your Homicide interview, you
19 said you were in shock so--um--what is--what do you
20 describe that as--I mean, what--

21 SGT STEGER: I--um, I say I was in shock
22 because I kind of just--um--I kind of just froze
23 after it was all done. I re-holstered and I was
24 just like, um, I was stunned. I was just--okay,
25 now I wasn't still covering the subject. I wasn't--

1 -um--getting on the radio. I wasn't--you know,
2 setting up a crime scene. I was just--you know.
3 Um. You know, I kind of froze. Was the best way
4 to describe it. I mean, I was aware of what was
5 going on. I was aware that--um--Mellone was on the
6 radio and he was--everything was getting taken care
7 of. And I was aware of all this but I, myself, was
8 just--I was just kind of stunned. I was doing
9 nothing. Just watching the subject. And thinking--
10 -you know, what I just said. But, you know, he's--
11 okay, his chest is still moving. He still has the
12 knife. And we can't get him aid until that knife
13 was out of his hands and--

14 SGT CRUDO: Uh--you said that when you--
15 when--when you--in your Homicide interview, you
16 said that when you approached them, you stepped on
17 his wrist or his hand to pre--pre--prevent him
18 from--

19 SGT STEGER: From, you know--

20 SGT CRUDO: Flailing?

21 SGT STEGER: Yeah, from flailing with the
22 knife. Uh, I didn't--

23 SGT CRUDO: Is there--is there any reason
24 that--or is there a tactical advantage in using
25 your foot rather than say like holding his hand or

1 anything?

2 SGT STEGER: No--uh, for me, it was just--it
3 was a matter of--still maintaining some sort of
4 distance where I can just--jump back. I didn't
5 want to get down on the ground to his level.

6 SGT CRUDO: So--were you still fearful, as--
7 -as you're--as you're there? I mean, are you still
8 fearful in that moment?

9 SGT STEGER: Um. I--I don't--I don't know
10 if I was--I don't know if I was fearful in that
11 moment. But I was cognizant that there's still a--
12 there is a potential threat, if that--if that makes
13 any sense. I--um--what I felt at the time was this
14 guy isn't getting up. That's what I felt. But I
15 knew that--the min--there is that potential. His
16 chest was still moving. He's still--breathing.
17 He's--and he still has a knife in his hand. And at
18 minimum, I knew the medics aren't gonna treat him,
19 uh, you know, while he's got a knife in his hand.
20 They're not gonna come in there until we render it
21 safe.

22 SGT CRUDO: So--so Officer Perez gets in--
23 you know, comes up and he says, "Hey, Sarge, you
24 want me to get rid of that or move it, you know"--

25 SGT STEGER: Yeah, yeah--

1 SGT CRUDO: "Take the knife out."
2 SGT STEGER: "Get the knife."
3 SGT CRUDO: Okay. Um, did--did you see how
4 he cleared the weapon from the suspect?
5 SGT STEGER: I think he just reached down
6 and, like, grabbed the top of the handle and just
7 pulled it out of his hands.
8 SGT CRUDO: And--and the--
9 SGT STEGER: I believe.
10 SGT CRUDO: Were--were you aware of like
11 what he did with it or--
12 SGT STEGER: No.
13 SGT CRUDO: Okay. Did you or Officer Perez
14 or Officer Mellone or anyone else, um, in that
15 immediate moment, did--render any--aid?
16 SGT STEGER: Uh, well, I--he--his--he--
17 appeared to be moving air. I checked for a pulse.
18 Um. And I thought that I found one. So at that
19 point I, um, I didn't want to--try and roll him
20 over or start--search him for anything 'cause I was
21 afraid that I would disturb something and make it
22 worse. So at that point it was like, "Okay, CPR
23 doesn't apply. If he's breathing and he's got a
24 pulse, we don't do CPR on--on live people." Um.
25 And--and so that was--so I was just--standing there

1 kind of monitoring and then, um, yeah, and then--I
2 think it--I think that's when about Sergeant Aloise
3 showed up and kind of pulled me off scene. And I
4 saw the--

5 SGT CRUDO: Well, were you there when EMS
6 responded--

7 SGT STEGER: [UNINTELLIGIBLE]

8 SGT CRUDO: To this [UNINTELLIGIBLE]--

9 SGT STEGER: Engine 7, the guys from the
10 fire house, I think. They weren't--they didn't
11 have their truck there but they had their bags and
12 were like right at the end of the block. Um,
13 getting ready to walk down.

14 SGT CRUDO: So Station 7 personnel
15 responded directly from the--

16 SGT STEGER: Directly from the station.

17 SGT CRUDO: And I know later they--

18 SGT STEGER: That's what I--

19 SGT CRUDO: Ended up bringing in a engine
20 or right--were you there?

21 SGT STEGER: Yeah, I--I wasn't there. So I
22 don't--I don't know what the--I just remember
23 seeing--seeing--

24 SGT CRUDO: So--so the knife--

25 SGT STEGER: Firefighters--I was just gonna

1 say, I remember seeing the--the firefighters, their
2 bags.

3 SGT CRUDO: Right.

4 SGT STEGER: Ready to go.

5 SGT CRUDO: Okay.

6 SGT STEGER: Uh.

7 SGT CRUDO: And then the next--SFPD unit
8 other than the--you and Officer Mellone and Officer
9 Perez, the next one who comes in after this thing
10 is now kind of becoming Code 4, uh, would be
11 Sergeant Aloise?

12 SGT STEGER: Um.

13 SGT CRUDO: Next--the next one you were
14 aware of?

15 SGT STEGER: Yeah, well, I remember--I also
16 remember I think it was Officer [Garens] was there.
17 Um. I don't remember seeing [Coonabit] originally
18 but I know they were together. But it was, yeah.
19 Aloise kind of--swept me up from the scene and
20 went--and we sat in the car until we could get a
21 ride up to Mission.

22 SGT CRUDO: And--and did Officer--uh,
23 Sergeant Aloise take a public safety statement?

24 SGT STEGER: Yes.

25 SGT CRUDO: And then how long was it that

1 you were on scene, do you think, until you were
2 removed? So--once, again, the--Sergeant Aloise was
3 on the scene, things kind of--uh--

4 SGT STEGER: Uh--

5 SGT CRUDO: Transitioning.

6 SGT STEGER: Couple minutes. Um. And then--
7 -yeah.

8 SGT CRUDO: And were you separated and
9 monitored after the incident?

10 SGT STEGER: Yeah, uh, so he sat me in--in,
11 uh, one of the patrol cars and then, uh, Officer
12 [Garens] came and sat with me. And eventually--

13 SGT CRUDO: He--did he remain with you
14 until your attorney rep?

15 SGT STEGER: Yeah, he--he took me up to
16 Mission Station.

17 SGT CRUDO: Hm-hmm.

18 SGT STEGER: And then once it--at Mission,
19 actually, I think, uh, Tony Montoya showed up, I
20 think? Somebody from the POA showed up and--um, so
21 then certain people started showing up and
22 everything.

23 SGT CRUDO: Okay. Um. Did you suffer any
24 physical injuries because of this incident? And
25 how was the--um, incident impacted you in other

1 ways?

2 SGT STEGER: Um. Uh. Well, I--uh--had
3 issues with, uh, thinking. [LAUGH] Little
4 scatterbrained. Um. [UNINTELLIGIBLE] been a
5 little short, uh, sleep has actually been okay
6 except for last night. Um. Yesterday, uh, I--when
7 reviewing the information for this interview, I
8 had--you know, got emotional. Um. It's been
9 stressful for myself and for my wife. Um.
10 Worrying about, you know, what's being said in the-
11 -the media and the possible retaliation by nut
12 jobs. Um. You know, my wife was threatened. Um.
13 Yeah. So.

14 SGT CRUDO: And a lot of the things that
15 you're describing, obviously not the retaliation
16 issues, but, you know, they're--I know they talk
17 about it at the CERT debrief and they're sort of
18 normal pieces of this thing, working through it
19 but, you know, we're lucky that we have a really
20 good Behavioral Science Unit and I would encourage
21 you, you know, to take full advantage of--of what
22 they have. Also, um, and has anybody talked--has
23 anybody--you done anything about, uh--um--your
24 wife, with regards to threats or anything? SID or
25 anything like that?

1 SGT STEGER: Yeah, SID's, uh, aware--they're
2 the ones who called me about it. It's been
3 Castaneda, so.

4 SGT CRUDO: Okay. Uh--

5 SGT TOOMER: No. Nothing for that.

6 SGT CRUDO: Scott?

7 ATTY BURRELL: No questions, thank you.

8 SGT CRUDO: Okay. Um. I--re--don't--you
9 know, you've gone through everything, Sergeant.
10 Um, is there anything else regarding this incident
11 and the investigations that we have no covered that
12 you think needs to be added?

13 SGT STEGER: No.

14 SGT CRUDO: And is there anything stated
15 during the interview that, you know, you wanted to
16 change or clarify at this time?

17 SGT STEGER: No.

18 SGT CRUDO: Um, after you leave this
19 interview, should you recall anything that is
20 different from or in addition to what you've
21 provided today, you are ordered to provide that
22 information to me as soon as practical. Do you
23 understand the order?

24 SGT STEGER: Yes.

25 SGT CRUDO: Okay. And you may not discuss

1 this matter, uh--or you may discuss this matter
2 with your representative, as you choose, but
3 otherwise I'm going to order you not to discuss any
4 portion of this investigation with any other
5 Department employee. Do you understand this order?

6 SGT STEGER: Yes, I do.

7 SGT CRUDO: Okay. I'm gonna conclude the
8 interview. It's 1:25 in the afternoon. And I'm
9 turning off the recorder.

10 **END OF DOCUMENT**